

[Redacted]

Leonardo Helicopters
Piazza Monte Grappa 4
00195 Roma
Italy

email: [Redacted]

Lisbon,

Subject: Call for tender EMSA/OP/12/2016

Ref: Your bids for Lot 3 submitted on 17/10/2016

Dear [Redacted],

We acknowledge receipt of your bid for the tender EMSA/OP/12/2016. Your bid is currently being evaluated by the evaluation committee nominated for that call.

During the evaluation process, it was noted that some elements required further clarification from the bidder as described in Annex I.

In order to allow this committee to give a complete opinion with regards to the exclusion, selection and award criteria announced in the tender specifications, we would like to receive within 3 working days of the receipt of this email the requested clarifications as described in Annex I.

Your answer should be sent by post (with scanned/pdf copy by email) to the following address:

Evaluation Committee

Call EMSA /OP/12/2016

European Maritime Safety Agency

Praça Europa 4, 1249-206 Lisbon, Portugal

Email: OPEN122016@emsa.europa.eu

Please note that the clarification requested should not lead to any modification in the offer already submitted.

Yours sincerely,

[Redacted Signature]

Annex I – Clarification request

Annex I – Clarification request

- 1- The Legal Entity Forms of the two sub-contractors: [REDACTED] and [REDACTED]. have not been submitted. The forms shall be accompanied by a copy of an official document showing the name of the company, the address of the Head Office and Registration Number given by national authorities.

Please submit those documents.

- 2- The Financial statements or extracts for the last 3 financial years and the statement of overall turnover and where appropriate turnover relating to relevant services for the last 3 financial years of the two sub-contractors: [REDACTED]. and [REDACTED]. are missing.

Please submit those documents.

- 3- In the Statement of Subcontracting/Joint Offer, the proportional activity (e.g.: 10-15%) of each subcontractor is missing

Please submit a new Statement of Subcontracting/Joint Offer

- 4 In the price you offer for Module 3 (on site activities) under “Discount offered for operation contracted for more than 3 months” you indicated [REDACTED]. The tenderer was expected in that cell to indicate the absolute price reduced by the discount. Please confirm if this was also your company’s understanding and you mean 0.05 EUR of discount per operation or if the intention was to have [REDACTED] of discount.

Please note that your answer might not result in the change of any price in the offer.

Ref.: [REDACTED]
Date: 25th November 2016

Evaluation Committee
Call EMSA/OP/12/2016
European Maritime Safety Agency
Praça Europa 4
1249-206 Lisbon (Portugal)

Bid Ref.: Call for tender No. EMSA/OP/12/2016

Subject: Clarification on Leonardo S.p.a. Helicopters' Proposal for Lot 3

Annexes: [REDACTED]

Dear [REDACTED]

Leonardo S.p.a., acting through its division Helicopters, is pleased to provide the following clarifications in response to your letter dated 22nd November 2016.

Reply to questions N°1 and N°2 – Additional subcontractors information:

Please find enclosed herewith the legal entity forms and financial statements of [REDACTED]

With reference to the financial statements of [REDACTED], please note that 2015 financial statements are not available since they have not been approved yet due to an ongoing shareholding structure reorganization. As consequence, 2012, 2013 and 2014 financials statements are provided for [REDACTED]

With regards to the enclosed [REDACTED] Registration Report issued by the Chamber of Commerce, please note that an updated version will be issued on the 29th of November 2016. Should you wish to receive the updated report once available, kindly let us know.



Reply to question N°3 – Proportional activity of each subcontractor:

The proportional activity of Leonardo Helicopters' subcontractors is the following:

- [REDACTED]
- [REDACTED]

Reply to question N°4 – Discount offered for operations contracted for more than 3 months:

Leonardo Helicopters' intention is to offer a [REDACTED] % discount, which shall be applied to the price proposed under [REDACTED] for one calendar day of activities on site (specifically: [REDACTED] EUR). Therefore, the absolute price reduced by the abovementioned discount is [REDACTED] EUR.

Should you have any queries, please do not hesitate to contact [REDACTED] [REDACTED]

Yours sincerely,

For and on behalf of Leonardo Helicopters

[REDACTED]
Airborne & Space Systems Division
Service and Support Solutions Italy
Leonardo – Finmeccanica, Società per azioni
Viale Europa snc, Nerviano (MI)
20014, Italy

email: [REDACTED]

Lisbon,

22 NOV 2016

Subject: Call for tender EMSA/OP/12/2016

Ref: Your bids for Lots 1 and 2 submitted on 17/10/2016

Dear [REDACTED]

We acknowledge receipt of your bids for the tender EMSA/OP/12/2016. Your bids are currently being evaluated by the evaluation committee nominated for that call.

During the evaluation process, it was noted that some elements required further clarification from the bidder as described in Annex I.

In order to allow this committee to give a complete opinion with regards to the exclusion, selection and award criteria announced in the tender specifications, we would like to receive within 5 working days of the receipt of this email the requested clarifications as described in Annex I.

Your answer should be sent by post (with scanned/pdf copy by email) to the following address:

Evaluation Committee

Call EMSA/OP/12/2016

European Maritime Safety Agency

Praça Europa 4, 1249-206 Lisbon, Portugal

Email: OPEN122016@emsa.europa.eu

Please note that the clarification requested should not lead to any modification in the offer already submitted.

Yours sincerely,

Annex I – Clarification request

Annex I – Clarification request

1. The availability of satellite communication was requested as mandatory requirement for lot 1 (ref paragraph 7.2.2.1) in the tender specifications to OP/12/2016 to allow the transmission of the payload sensor data during BRLOS flight operations:

Communication	RLOS and BRLOS with satellite Data Down Link capabilities for payload data	Mandatory
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The reference on page 10 and 39/40, volume 402 of your bid [REDACTED]

As satellite communication and BRLOS operations in all sea areas surrounding the European Union within EU or EFTA country are mandatory requirements, the bidder shall take note that offers for Lot 1 which are not providing data links via satellite communication and BRLOS operations will be excluded from the evaluation.

For both Lot 1 and lot 2 bids:

2. The time schedule on page 10 of the “Description of proposed solution and services” [REDACTED]

Please take note that according to the tender specifications the service set-up period is limited to 3 months and that in your bids [REDACTED]

3. With regard to the article of the draft FWC which indicate in volume 202 as “expected “to be clarified and agreed before Contract award”, EMSA would like to point out that the procurement procedure EMSA/OP/12/2016 is an “open procedure” (see section 2 of the tender specifications), i.e. there can be no negotiation of the procurement documents to avoid distortion of competition. Please note that according to point 7 of the invitation to tender:

“Submission of a tender implies acceptance of all the terms and conditions set out in the procurement documents and, where appropriate, the waiver of the tenderer's own general or specific terms and conditions.”

During the procurement period and up to the award EMSA is available to clarify the purpose and content of those clauses but no negotiation can be accepted.

Consequently, the non-acceptance of the terms of the framework contract or of any other conditions contained in the procurement documents would result in the rejection of your bid. We therefore kindly ask you to confirm whether you:

a) would like to maintain your non-acceptance of the terms of the framework contract regardless of this consequence

or

b) whether you accept all the terms and conditions set out in the procurement documents, including those in the draft framework contract.

4. Similarly, in \

cannot be accepted by EMSA and may lead to rejection of the bids. Please confirm also whether you would like to maintain it regardless of this consequence or whether you accept all the terms and conditions set out in the procurement documents, including those in the draft framework contract.

5. In volume 3, doc 10, the bid is providing the table properly filled in with the "Operational experience

COMPANY RESTRICTED

To: **EMSA – European Maritime Safety Agency**

Attn: 

Address: Praca Europa, 4
1249-206 Lisbon, Portugal

Date: 02.Dec.16

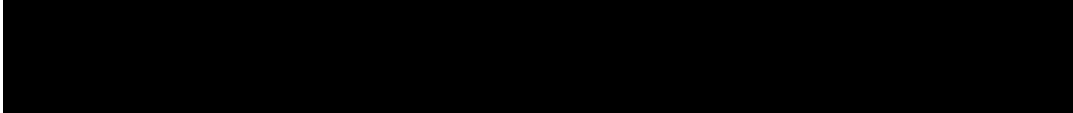

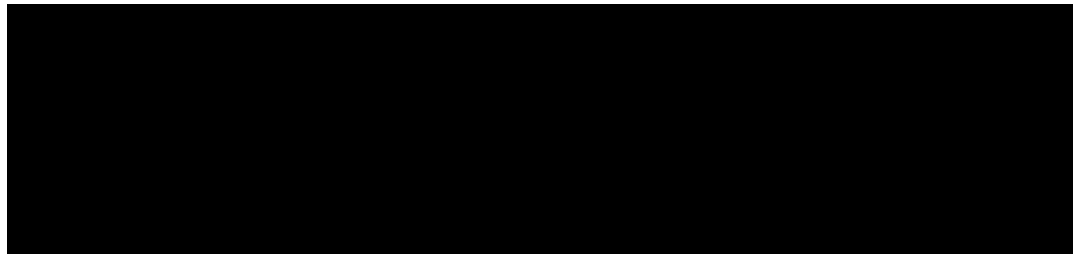
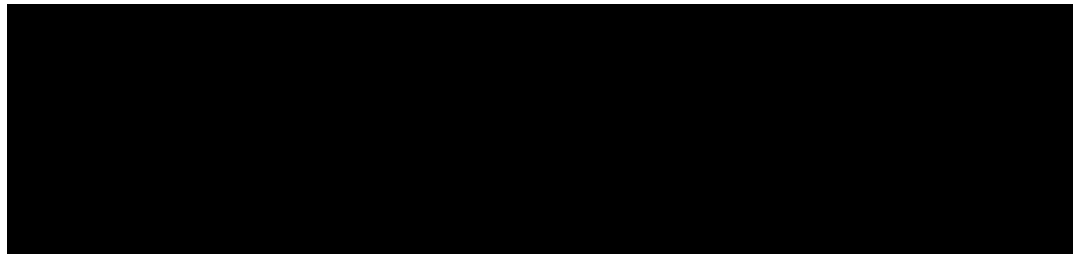
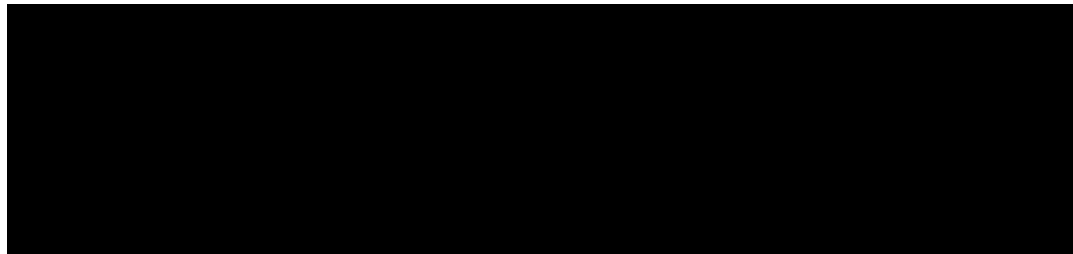
Subject: Call for Tender EMSA/OP/12/2016 - Clarifications Request

Leonardo Ref: 

Dear,

Thank You for Your attention to our Proposal and for the opportunity to clarify it.

With reference to your Letter:

1. 
2. The correct timing for the FOC (Full Operational Capability) is  starting from CA (Contract Award)
3. 
4. 
5. 

Yours sincerely,



Leonardo - Finmeccanica - Società per azioni

Registered office:
Piazza Monte Grappa, 4 - 00195 Rome - Italy
Tel. +39 06 324731 Fax +39 06 3208621
Business Address:
Via M. Stoppani, 21
34077 Ronchi dei Legionari GO, Italy
Tel. +39 0481 478111

Company Share Capital € 2,543,861,738.00 i.v.
Tax Code & Company Register no. 00401990585
VAT no. 00881841001

[Redacted]

Leonardo Helicopters
Piazza Monte Grappa 4
00195 Roma
Italy

email: [Redacted]

Lisbon,

07 DEC 2016

Subject: Call for tender EMSA/OP/12/2016

Ref: Your bids for Lot 3 submitted on 17/10/2016

Dear [Redacted]

We acknowledge receipt of your bid for the tender EMSA/OP/12/2016. Your bid is currently being evaluated by the evaluation committee nominated for that call.

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Email: OPEN122016@emsa.europa.eu

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Yours sincerely,

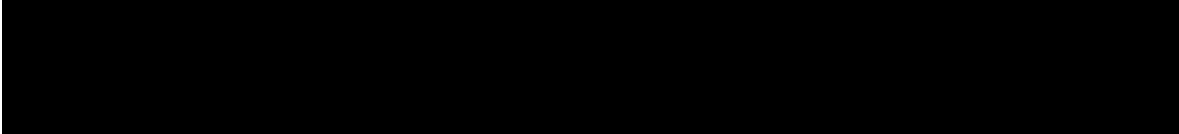


[Redacted]

Annex I – Clarification request

Annex I – Clarification request

1- In Volume 2, Section 3, page 41 your bid states that 



Please confirm if these sensors will be provided at no additional costs.

[REDACTED]
Leonardo Helicopters
Leonardo-Finmeccanica S.p.A
Piazza Monte Grappa, 4
00195 Roma, Italy

By FEDEX and email with confirmation of receipt

Lisbon, **03 FEB 2017**

Ref.: Your tender submitted on 14 October 2016 as clarified by your letters dated 25 November and 12 December 2016

Subject: Call for tender EMSA/OP/12/2016

Dear [REDACTED]

We are pleased to inform you that your bid has successfully passed the evaluation of the above framework contract in first position.

This letter informing you of the award of the contract does not constitute a commitment on the part of EMSA. As the contracting authority, we may, until such time as the contract is signed, cancel the procurement procedure without this entitling you to any compensation.

Letters have also been sent today to the unsuccessful tenderers, informing them about the results of evaluation of their tender.

The framework and specific contracts can only be signed by EMSA after a period of 10 days from the day following the date on which this email is sent. Any contract signed before the end of this period shall be null and void. If requests, or comments made by the unsuccessful tenderers or any other relevant information justifies it, EMSA reserves the right to suspend signing the contract to allow further examination. In this case, you will be informed within three working days.

Please find enclosed a) two copies of the framework contract where you should check that your personal details (in particular bank account details) have been properly included and b) two copies of the specific contract No1 for initial set-up phase. Please then initial every page of each copy, sign and date the framework contract and the specific contract No1 and return both copies, signed, at the following address within 10 days from the day following the date on which this letter is sent:

European Maritime Safety Agency
[REDACTED]
Praça Europa 4
1249-206 Lisboa
Portugal

May I also draw your attention to the following:

- a) if the valid documentary evidence confirming the declaration on honour is not sent to the above address within one month of this letter
or
- b) if the particular authorisation indicated in section 20.3 of the Tender Specifications, proving that the tenderer is authorised to perform the contract in its country of establishment, is not sent to the above address within one month of this letter
or
- c) if the framework and specific contracts are not returned to the above address, duly dated and signed by the authorised persons indicated on page 1 of the contract before this same deadline
or
- d) if you make any change to the wording of the framework contract, the specific contract No1 or their annexes,

EMSA may refuse to sign the framework contract and/or the specific contract and, if appropriate, award it to another tenderer or cancel the procedure.

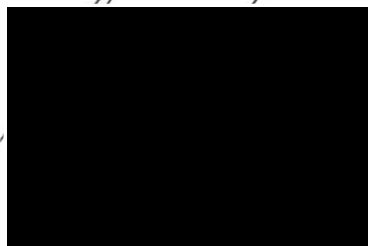
Please also complete, sign and return the IPR identification form (Annex III of the FWC).

A copy of the framework contract and the specific contract will be sent back to you once it has been signed and dated by EMSA.

Implementation of the contracts may not start before the contract is signed by both parties.

The Agency would like to thank your organisation for your efforts so far and it is looking forward to co-operating with you on this interesting project during the coming period.

Yours sincerely,

A large black rectangular redaction box covers the signature area. Above the box, there are two handwritten checkmarks. To the left of the box, there is a handwritten flourish or mark.

Enclosure: 2 copies of the contract and 2 copies of the specific contract No1