

Ref. Frontex/OP/800/2017/JL

**Trial of Remotely Piloted Aircraft
System (RPAS) for long endurance
Maritime Aerial Surveillance**

Tender Specifications - Annex I

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1. Terms and Definitions

The terms in the table below, appearing either in a complete or in an abbreviated form, when used in this document and its annexes, relating to the Technical Proposal, Financial Proposal and Draft Contract, shall be understood to have the following meaning:

| Term | Abbreviation | Meaning |
|---------------------------|--------------|---|
| Agency | Frontex | The European Border and Coast Guard Agency. |
| Area of Interest | Aol | The geographical area where data/ information that will satisfy a Mission requirement can be collected. Areas of Interest are inside the Deployment Area. |
| Beyond Line of Sight | BLOS | Radio communication capabilities that link the transmitting and receiving station that are too distant from each other or fully obscured by terrain for Line of Sight communication. |
| Broadband Link | | A high-capacity transmission technique using a wide range of frequencies, which enables a large amount of data to be transmitted simultaneously using a single telecommunication link. |
| Coordination Centre | CC | EU national centre responsible for border-control activities coordination between border-control, other law-enforcement, and/or EU bodies. |
| Data Link | | A telecommunication link over which data is transmitted. |
| Deployment | | Logistical arrangements made by the Contractor, to have its RPAS, with supporting resources, deployed, tested and ready to fly at one of the Deployment Airports. |
| Deployment Airport | | The airport selected by the Contractor in the Host Country of the operation, from where the deployment of the RPAS will take place, taking into account the operational suitability, working hours and the existence of adequate logistic services. |
| Deployment Area | DA | The geographical area where the RPAS may be required to fly. The Deployment Area encompasses the Areas of Interest which are to be covered by each specific missions. |
| EU, EEA, and SAC | | European Union, European Economic Area, Schengen Associated Countries. |
| Event of Interest | Eol | Any unusual behaviour of sea craft potentially involved in irregular migration, smuggling, illegal fishery, sea pollution and maritime distress situations. Additionally, specific Eol may be defined during pre-mission briefings. |
| Flight information region | FIR | A flight information region (FIR) is a specified region of airspace of defined dimensions within which flight information service and alerting service are provided. |
| Full Motion Video | FMV | Digital video data that is transmitted or stored on video discs for real-time reproduction on a computer (or other multimedia system) at a rate of not less than 25 frames per second, and not less than 320 x 240 pixels. |
| Ground Station | GS | A deployed working space (container, vehicle, tent, other) that allows the Contractor's crew to fly the RPAS and manage its payload. |

| | | |
|---|-----------------|---|
| Host Country | HC | The EU Member State where the Coordination Centre and the Deployment Airports are situated. |
| Line of Sight | LOS | Type of propagation that can transmit and receive data when the transmitting and receiving stations are in view of each other without any sort of obstacle between them. |
| Medium Altitude Long Endurance Remotely Piloted Aircraft System | MALE RPAS | For this document: An aircraft without a pilot on-board, with an MTOW weight above 1,000 Kg capable to perform long endurance flights, typically more than 20 hours. |
| Mission | | Each flight implemented by the RPAS under this contract in an Area of Interest. |
| Narrowband Link | | Refers to data communication and telecommunications tools, technologies and services that utilize a narrow set or band of frequencies in the communication link. |
| Object of Interest | Ool | Any object located in the Aol, which is the objective of the mission. A non-exhaustive list of Objects of Interest contains the following elements: sea craft involved in transportation of irregular migrants made of rubber, fiberglass, metal, wood or composite material. Additional, specific Ool may be defined during pre-mission briefings. |
| Payload | | The load carried by the RPAS, consisting of the sensors, necessary for the purpose of the mission: i.e. Electro-Optical, Infrared Cameras, Radar, GPS, AIS Receiver. |
| Radar Tracks | | A path or a trail created automatically by a radar using echo signals. A radar track will typically contain the following information: Position (in two or three dimensions), Heading, Speed and a Unique Track Number. |
| Readiness Time | | The period of time needed by the Contractor to test the RPAS communication and data transfer with the designated Coordination Centre before the starting date of the Service. Any necessary test flight should be executed during this time period. |
| Remotely Piloted Aircraft System | RPAS | An aircraft without a pilot on-board. The flight is controlled by a pilot located on the ground or in another vehicle. |
| Remote Video Terminal | RVT | Portable device enabling users in the field to view video streaming. |
| Small Medium Altitude Long Endurance RPAS | Small MALE RPAS | For this document: An aircraft without a pilot on-board, with an MTOW weight above 500 Kg but less than 1,000 Kg capable to perform long endurance flights, typically more than 10 hours. |
| Services | | The services are composed of a number of flights called missions, each of which is carried out in a specifically designated Areas of Interest, defined within the Deployment Area, with a focus on specific Objects/Events of Interest. |
| Situational Picture | | Geo-referenced compilation of all available information on objects and events of interest detected in the Area of Interest. |
| Tactical User | | For this document: Border Guards at the designated Coordination Centre acting on the Surveillance Information provided by the RPAS and any other consumer of the surveillance information collected, indicated by Frontex for a given mission, i.e. other EU Agencies. |
| Trial | | Assessment / evaluation of maritime surveillance services delivered by remotely piloted surveillance aircraft |

2. Scope and Objectives

These tender specifications are issued for the procurement of long endurance maritime aerial border surveillance trials in a quasi-operational environment as specified in Chapter 6 of this document.

Frontex seeks to sign contracts to conduct the trial of long endurance maritime surveillance with two types of RPAS: MALE and Small MALE. These platforms will fly up to 600 and 300 hours respectively, over a period of 120 calendar days in 2018. The trials will take place in areas of the Mediterranean Sea designated by Frontex in cooperation with one or more host Member States within the time frame of Q2 -Q4 2018.

The objective pursued with this acquisition is to enable Frontex to continue its assessment and evaluation of remote piloted surveillance aircraft capable to deliver long endurance maritime border surveillance. Specific focus of this assessment will be on the ability of such a platform to deliver surveillance services in a regular, reliable, and cost-efficient way.

Unless otherwise stated, the terms and definitions used throughout these tender specifications are as defined in Chapter 1.

3. Introduction to Frontex

Frontex was established in 2004 as *the European Union agency coordinating operational cooperation of national border authorities of the EU member states and Schengen associated countries*, mandated to reinforce and streamline cooperation between national border authorities. In 2016 the agency's mandate was enlarged and its name changed to *the European Border and Coast Guard Agency*¹.

The areas of Frontex activity relevant to this contract are:

- Operations: Frontex plans, coordinates, implements and evaluates joint operations, pilot projects and rapid border intervention interventions.
- Capacity Building: Frontex participates in the development and management of research and innovation activities relevant for the control and surveillance of the external borders, including the use of advanced surveillance technology,
- Risk Analysis: the Agency monitors migratory flows and carries out risk analysis as regards all aspects of integrated border management.
- Frontex Situation Centre: the Agency develops and distributes the European Situational Picture and is responsible for creating and sharing the Pre-Frontier Common Intelligence Picture.
- Providing a rapid response capability: Frontex sets up and deploys a pool of resources which brings together specialist human and technical resources from across the EU.
- Information systems and information sharing environment: Frontex provides the necessary assistance for the development and operation of the EUROSUR and, as appropriate, for the development of a common information-sharing environment, including interoperability of systems, in particular by developing, maintaining and coordinating the EUROSUR framework in accordance with Regulation (EU) No 1052/2013.

More about Frontex origin, organisation, its mandate, fields of activities, strategy and planned activities and especially the recent Frontex Programme of Work² can be read on the official information section published on the Frontex web site.

¹ REGULATION (EU) 2016/1624 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC
²<http://frontex.europa.eu/about-frontex/governance-documents/2017>

4. Description of the Tender

4.1. The tender process

The purpose of competitive tendering for awarding contracts is two-fold:

- to ensure process transparency;
- to obtain the desired quality of services at the best possible price.

This tender will be conducted as an open tender procedure.

The procurement procedure is governed by the following legal provisions:

- Part 1, Title 5 of Regulation (EU, Euratom) No 966/2012 of 25 October 2012, with all amendments, on the financial rules applicable to the general budget of the Union;
- Part 1, Title 5 of Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012, with all amendments, on the rules of application of Regulation (EU, Euratom) No 966/2012 of 25 October 2012 on the financial rules applicable to the general budget of the Union.

4.2. Contract Description

The services required by Frontex are described in the terms of reference in chapter 6 of the present tender specifications. In drawing up a tender, tenderers should bear in mind the provisions of the draft contract (a separate Annex to the invitation to tender). In particular, the draft contract indicates the method and the conditions for payments to the Contractor.

Tenderers are expected to examine carefully and respect all instructions and standard formats contained in these tender specifications and other annexes to the invitation to tender. An offer which does not contain all the required information and documentation may be rejected.

4.3. Participation in the tender procedure

This procurement procedure is open to any natural or legal person wishing to bid for the assignment and established in at least one of the EU, EEA and SAC countries. Exceptionally in this procedure, bids from economic operators generally not having access to the procurement procedures initiated by decentralised agencies of the European Union (i.e. bids from third countries) will also be accepted.

Tenderers must not be in any situation of exclusion under the exclusion criteria indicated in section 6.6 of these tender specifications and must have the capacity to allow them to participate in this tender procedure (see section 6.7.)

Any attempt by a tenderer to obtain confidential information, enter into unlawful agreements with competitors or influence the Frontex evaluation committee during the process of examining, clarifying, evaluating and comparing tenders will lead to the rejection of his tender and may result in administrative penalties.

Without prejudice to the application of liquidated damages laid down in the contract, tenderers and contractors who have been guilty of making false declarations concerning situations of their companies or have been found to have seriously failed to meet their contractual obligations in an earlier procurement or grant shall be subject to the administrative and financial penalties set out in Article 145 of Commission Delegated Regulation (EU) No 1268/2012 with all amendments of 29/10/2012 (OJ L 362 of 31/12/2012.)

4.4. Participation of consortia

A consortium may submit a tender on condition that it complies with the rules of competition.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. Such grouping (or consortium) must specify the company or person

heading the project (the leader) and must also submit a copy of the document authorising this company or person to submit a tender. All members of a consortium (i.e. the leader and all other members) are jointly and severally liable to Frontex.

In addition, each member of the consortium must provide the required evidence for the exclusion and selection criteria (see section 6.6 and 6.7 of these tender specifications). Concerning the selection criteria ‘technical and professional capacity’, the evidence provided by each member of the consortium will be checked to ensure that the consortium as a whole fulfils the criteria.

4.5. Subcontracting

Subcontracting is allowed, provided that the tenderer clearly indicates in the tender which parts of the work will be subcontracted and to which subcontractor. The bid shall also include a letter of intent by each subcontractor stating its intention to collaborate in case the contract is awarded. Nevertheless, the responsibility for the full execution of the contract rests with the Contractor, as Frontex has no direct legal commitment with subcontractors. Subcontractors must satisfy the exclusion criteria applicable to the award of the contract.

The Contractor may be supported by associated partners providing local expertise and logistical support. If such local support is perceived by the Contractor as needed for the interest of Frontex in the scope of the service provision, a prior authorisation from Frontex must be received and reflected in the contract. The Contractor remain the sole party which is contractually liable. Where no subcontractor is given, the work will be assumed to be carried out directly by the tenderer.

4.6. Cost of preparing tenders

The invitation to participate in a tender procedure does not constitute any commitment on behalf of Frontex to award the contract to a company. Frontex shall not reimburse any costs incurred by Tenderers in preparing and submitting offers.

4.7. Confidentiality and public access to documents

In the general implementation of its activities and for the processing of tendering procedures in particular, Frontex observes the following EU regulations:

- a. Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data;
- b. Regulation (EC) No. 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data;
- c. Regulation (EC) No. 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

5. Implementation

5.1. Assignment

Maritime Aerial Surveillance services with Remotely Piloted Aircraft Systems for long endurance are envisaged to be procured in two lots under this procurement.

5.1.1. Lot 1

Trial of MALE RPAS in a long term Maritime Aerial Border Surveillance, up to 600 flying hours in designated areas of the Mediterranean Sea, along Q2-Q4 of 2018.

5.1.2. Lot 2

Trial of small MALE RPAS in a long term Maritime Aerial Border Surveillance, up to 300 flying hours in designated areas of the Mediterranean Sea, along Q2-Q4 of 2018.

5.1.3. Service Specification

The services acquired should consist of flying maritime border surveillance missions using a MALE RPAS in designated Areas of Interest within a Deployment Area. Each of the flights will be called a 'mission' defined by timeframe, geographical area, Objects and Events of Interest, combination of sensors, communication capacity required in the RPAS, as well as the expected transfer of data/information to the designated Coordination Centre for exploitation and further distribution (i.e. to Frontex and eventually other EU Agencies as indicated by Frontex for a given mission).

5.2. Acceptance

For each of the lots, the official acceptance of the services delivered will take place at pre-defined milestones: during the implementation, and at the completion of the Contracts. It shall be conducted against the acceptance criteria set in the respective contract.

The payments are dependent on the completions of the contracted flying hours by the contractors.

5.3. Points of Contact

Each Contractor shall nominate a person who acts as the single contact point vis a vis Frontex for all contract execution matters and must be available at Frontex' request. All the contractual correspondence and related coordination will be addressed to this person.

Each Contractor shall also nominate a Contract Executive who will be ultimately representing the Contractor (and subcontractors, if applicable) vis a vis Frontex for the supervision of the overall performance of the Contractor, the change management on the contract terms and escalation of issues not solved at working level.

Frontex shall nominate a Contract Responsible for each Lot, who will be the single contact point for all the matters related to the Contract implementation, including the acceptance of the service.

5.4. Methodologies, best practices and standards

The Contractor shall carry out the services in accordance with technical norms, standards and procedures on best professional practices in the aeronautical and telecommunications fields.

5.5. Underperformance

In case the Contractor:

- is not respecting its contractual obligations (fails to provide the RPAS, payload, communications, or mission support as specified in its bid)
- is not responding to specific mission requests (fails to perform a mission for the third time without duly justified circumstances beyond the control of the contractor).

a breach of the Contractors' obligations will be assumed, and Frontex reserves the right to terminate the contract, in accordance with the provisions of the Contract.

5.6. Escalation

The Contractor shall continuously monitor the progress of work and risks of underperformance. In case of registering underperformance or assessing risk of underperformance the Contractor shall escalate it by means of a Registered Communication to the designated Frontex Contract Responsible.

In case of observing serious underperformance or a risk of underperformance of one of the Contractors, Frontex may escalate this observation to the concerned Contract Executive by means of a Registered Communication. The Contract Executive will be available for Frontex to report on the issue and propose countermeasures at short notice.

6. Terms of Reference

The terms of reference will become an integral part of the contract that may be awarded as a result of this tender procedure.

6.1. Description of the services & scope of the contract

With this contract Frontex seeks to acquire, in two lots, flying hours of two types of RPAS, lot 1 - MALE and lot- 2 - Small MALE, to conduct trials of long endurance maritime aerial surveillance. The trials will take place in specific Maritime Areas of the Mediterranean Sea along Q2 - Q4 2018. The services offered shall include the provision of a RPAS platform, payload, communication equipment, and all the necessary experts managing the system and providing operational support.

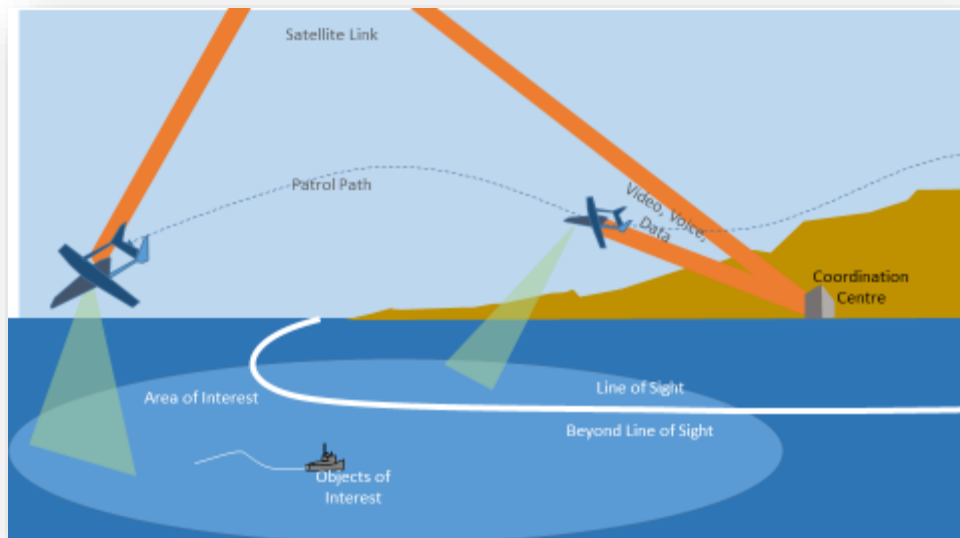


Figure 1 RPAS Aerial Surveillance in a Maritime Scenario

The scenario depicted in Figure 1 shows a typical maritime border surveillance operation conducted by Border Control Authorities. The 'artist impression' reflects the development of a mission where the surveillance platform (RPAS) surveys the Area of Interest, included in the Deployment Area, searching for 'Objects of Interest', and passing surveillance data/information to the designated Coordination Centre.

For this transfer, the surveillance platform may use a direct link when flying within Line of Sight, changing seamlessly to a satellite link when flying Beyond Line of Sight. The image does not show the deployment airport where the surveillance platform is based nor the option that the communication link with the Coordination Centre should be made via an in-situ Contractors' ground station.

As part of the contract the following deliverables are expected:

- RPAS fitted with ad-hoc payload, relevant communication equipment, and corresponding ground mission control and support;
- The trial will consist of several missions adding up to 600 flying hours for lot 1 and up to 300 hours flying hours for lot 2, executing the tasking assigned for each mission;
- RPAS data shared -in a to be agreed format- in real time with the designated Coordination Centre;
- Sensors data shared -in an agreed format- in real time with the designated Coordination Centre;
- Formats and protocols used to transfer data should enable further sharing of these data by the Coordination Centre, in near real time, with selected stakeholders (i.e. with Frontex and eventually other EU Agencies, as indicated by Frontex for a given mission).

6.2. Indicative Implementation plan for the contract

The list below presents the indicative plan of the implementation of this Contract, which is not binding on Frontex and may be adapted as required

- Contract signature December 2017;
- Service provision Q2-Q4 2018.

6.3. Financial Ceiling

Maximum budget available for this contract is intended to be 7,000,000 EUR

- Lot 1: 4,750,000 EUR for a total of up to 600 flying hours
- Lot 2: 2,250,000 EUR for a total of up to 300 flying hours

Financial offers above this budget range will be rejected.

6.4. General Requirements

Adherence to the following requirements shall be explicitly confirmed by the Tenderer in his Offer.

6.4.1. Duration

The service to be provided under each lot of this procurement consists of a number of missions providing flying hours delivered along 120 calendar days.

6.4.2. Location

The service shall be carried out by the Contractor in the designated Deployment Area, identified by Frontex at the time of the contract signature. Additional deployments / re-deployments are not foreseen and respectively not a subject of the present contract.

At present it can be indicated that the deployment airports and the DA will be the Eastern and Central Mediterranean (flight mission execution could cover areas of Eastern and Central Mediterranean and may include one or more FIRs).

6.4.3. Service to be delivered by the Contractor

The service provided by the Contractor shall include both planned missions and short notice callouts to conduct aerial maritime surveillance in a specific Areas of Interest within the Deployment Area. The provision of this service will require the following:

a. RPAS

- Aircraft type: Medium Altitude Long Endurance RPAS for Lot 1
- Aircraft type: Small Medium Altitude Long Endurance RPAS for Lot 2
- The platform will be capable to carry at least 150 Kilograms payload for Lot 1;
- The platform will be capable to carry at least 100 Kilograms payload for Lot 2;
- The platform will have either piston or turbine engine.

b. Support crew:

- Ground Fly crew, certified pilot needed to fly the RPAS executing the surveillance flights day/night;
- Ground Mission crew, responsible for mission management: Sensors, Communications, etc. They are responsible for identifying, recording, and mapping of objects and events of interest;
- Ground Maintenance crew, responsible to ensure the reliability and availability of the platform, payload, and communications.

c. Payload on board the RPAS consisting of a combination of sensors, including:

- Electro-Optical/ Infrared,
- Maritime Radar
- AIS Receiver

- GPS

d. Communications:

The RPAS shall be able to communicate with the Coordination Centre and with Border Authorities agents deployed in the Area of Interest using the links listed below:

- Link to Coordination Centre via Satellite Broadband Communication (video streaming and data) - the satellite link directly to a satellite transportable terminal in the Coordination Centre
 - Optionally, link to Coordination Centre via Line of Sight Broadband (video streaming and data)
 - VHF marine radio communication relay with maritime assets of Border Authorities in the AoI
 - Link with Border Authorities agents in the Area of Interest via RVTs on the ground (when required)

e. Command and Control:

The Contractor shall be able to present in a geospatial information system (GIS) correlated and fused data captured by all the sensors in the aircraft payload. This 'compiled picture' should be made available in the designated Coordination Centre and to other external stakeholders (i.e. to Frontex and eventually to other EU Agencies, as indicated by Frontex for a given mission) in near real time as required.

f. Activities under contractors' exclusive responsibility (their related potential costs are to be covered by the financial offer provided by the tenderer):

- Ground support for the RPAS
- Customs issues
- Diplomatic clearance (when required)
- No International Traffic on Arms Regulation (ITAR) constrains
- Insurance for Contractor's staff and equipment

Activities under shared responsibilities:

- ATC authorizations (joint endeavour undertaken by Frontex, Host Country, and Contractor)
- Frequency Allocation (joint endeavour undertaken by Host Country and Contractor)
- Presence of Liaison Officer from the designated Coordination Centre at the Ground Control Station during missions' execution (joint endeavour by Host Country and Contractor).

6.4.4. Working environment and conditions

The deployment of the RPAS will be to one of the two Deployment Airports where the RPAS providing the service will be accommodated taking into account the tactical suitability and adequate logistic services.

The Contractor shall respect national legislation and flight regulations of the member states where the RPAS will operate.

The Contractor is responsible for the logistics related to the RPAS deployment including but not limited to: airport accommodation for the RPAS platforms, airport access for the crews, fuel and any other required ground support, security of the RPAS platforms, crew accommodation.

The Contractor is also responsible for addressing custom and potential import/export issues. Frontex, the Host Country, and the Contractor will undertake jointly the obtainment of the necessary flight permissions from Air Traffic Control.

Frontex will put the Contractor in contact with the designated Point of Contact (PoC) at the Coordination Centre. This PoC will facilitate the access to all necessary operational briefings and de-briefings for the Contractor's ground mission responsible.

One week before the date of the start of the trial, the Contractor will have the possibility to deploy the RPAS platform and all the equipment to the assigned airport and to organise familiarisation flights in cooperation with Frontex and the local Authorities. In the same week the Contractor will take part in the drafting of the intended flights schedule for the full duration of the trial, keeping in mind that this initial schedule may be subject to change dictated by the trial evolution.

6.4.5. Other costs

The prices included in this contract are fully inclusive. This includes costs related to travel, subsistence, logistics, communication (including SATCOM), secretariat, customs, training, tooling and equipment used by the Contractor's staff, lease and/or use of the facilities and/or airfield in the hosting country. No additional costs are eligible.

6.5. Specific Requirements

The following specific requirements shall be obligatory for the Tenderer. The Tenderer is required to declare compliancy to these requirements in his offer.

6.5.1. Trial of long endurance maritime surveillance flights

The Contractor for each lot shall provide Frontex with maritime surveillance flights within pre-defined Deployment Area, in a specific timeframe, to report Objects of Interest and Events of Interest to a Coordination Centre designated by Frontex. The two Deployment Areas and the trial timeframe will be identified at the Contract signature time. At present it can be indicated that the DA will be the Eastern and Central Mediterranean (flight mission execution could cover areas of Eastern and Central Mediterranean) and the service timeframe covers the Q2-Q4 2018.

All the information captured during the flights shall be recorded by the Contractor and kept for the duration of the contract. All the video records and images collected by the Contractor in the course of the missions will be deleted from all the data supports at the end of the deployment after being transferred to the Host Country representative.

The Contractors' mission crew in the Ground Station, shall detect, track, identify and report pre-defined Objects of Interest and/or Events of Interest. This information shall be integrated by the Contractor in a Geographical Situational Picture of the Aol shared with the designated Coordination Centre, which should be able to share it (the Situational Picture), near real time, with external stakeholders (i.e. Frontex and eventually other EU Agencies, as indicated by Frontex for a given mission).

6.5.2. Planning the missions (flights)

The Contractor shall deploy the RPAS and the necessary ground equipment to the corresponding assigned Deployment Airport, assigned for each lot, within the time specified in the Contract. The RPAS will be fitted with the suite of sensors and communications specified by the Contractor in its tender. The Contractor will conduct all necessary equipment tests (sensors, communications) and demonstrate Frontex and the Host Country authorities the optimal functioning of the payload and data transfer before starting the set of scheduled trial flights.

6.5.3. Planning the missions (flights) within the blocks.

Frontex' local coordinator and the Contractor's representative will review the initial trial flights weekly, according to the Host Country operational constraints. The details of the mission will contain:

- Geographic coordinates of the Aol
- Objects and Events of Interest in the Aol
- Coordination Centre Officer assisting the crew during the mission (this will depend of the designated Objects/Events of interest, i.e. border control experts, fisheries expert, other as needed).

If circumstances so dictate the Coordination Centre Officer may provide the RPAS crew with a new Aol and new Objects/Events of Interest to focus on. Any planned trial flight is subject to such adjustment.

6.5.4. During the mission

The Contractor shall fuse the data acquired by all RPAS sensors, the RPAS flight path, and Objects/ Events of Interest and present this information and data, geo-referenced, in a Geographical Information System providing a Situational Picture of the Area of Interest.

6.5.5. Situational Picture building and sharing

The Situational Picture shall be shared with the Coordination Centre, either directly or via the Contractor's satellite transportable terminal.

a. Information available in the Ground Control Station

- Compiled Tactical Picture, including:
 - Moving Mission Map
 - Platform GPS position
 - Areas and flight pattern
 - Radar and AIS Tracks
 - Sensors Footprint
 - Georeferenced Objects and Incidents of Interest with associated metadata text description
- Live Streaming Video of FMV quality

b. Additional capacities in the Ground Control Station

- Communications with the RPAS
- Video Server with video recording capacity for the duration of the contract
- Encryption devices
- Remote Information Portal to share information with users outside the Coordination Centre

c. Remote Information Portal Capacities

- The Portal should grant secure web based access to a number of authorized IP addresses via HTTPS (designated Coordination Centre, Frontex, eventually other EU Agencies, as indicated by Frontex for a given mission) with the possibility for the Host Country to administer access to live and recorded video
- The portal interface should give access, for the duration of the Contract, to:
 - An ongoing flight (if any): Mission Map in real time, live camera feed
 - Schedule of future flights
 - Information on finished flights: flight reports, registered videos of Events/ Objects of interest

6.5.6. Flight Report

After each mission the Contractor's crew will produce and deliver to Frontex and to the Coordination Centre a written report of the flight containing flight path and Objects/ Events of Interest detected, identified, tracked. The template as well as the required distribution of the reports will be provided by Frontex to the Contractor. The Contractor shall provide a 'non-fly' report in case a scheduled flight cannot be accomplished. The non-fly report shall thoroughly explain the reasons for non-compliance with the flight request. The prior acceptance by Frontex of the Flight Reports concerned will be a necessary step for the interim contract payments.

6.5.7. Trial Report

Once all the flights under one of the lots have been performed, the concerned Contractor shall compile all of its flights reports in a Trial Report containing two parts: statistical summary of activity and a narrative outcome of the trial. The prior acceptance by Frontex of this Trial Report will be a necessary step for the final contract payment.

6.5.8. Cost Scenario for Lot 1, MALE RPAS

To be used by the bidders as the basis for their financial proposal when bidding for this tender.

A total of 600 flying hours carrying out surveillance activities within a rectangle of 200 by 100 miles (called Area of Interest). The border of the Area of Interest is located at a distance of 250 nautical miles from the deployment airport.

The total of 600 flying hours shall be provided during a period of 120 days. For the present cost scenario the bidder will assume that the number of flights will be equally divided during day and night and that each flight will have a duration of at least 20 hours.

When planning one flight, the following parameters should be considered:

| | |
|---|------------------------|
| Size of the Aol | 20,000 nm ² |
| Distance between deployment airport and Aol | 250 nm |
| Minimum duration of one flight | 20 hours |
| Maximum availability of services | 120 days |
| Number of hours of flight to be provided in this scenario | 600 hours |

The given value of the requested surveillance service provided by the Tenderer in response to the requirements of this cost scenario shall be presented using the Financial Proposal Template, attached to this document as Annex 2 and it will be considered as the total value of the prospective contract.

6.5.9. Cost Scenario for Lot 2, Small MALE RPAS

To be used by the bidders as the basis for their financial proposal when bidding for this tender.

A total of 300 flying hours carrying out surveillance activities within a rectangle of 100 by 50 miles (called Area of Interest). The border of the Area of Interest is located at a distance of 100 nautical miles from the deployment airport.

The total of 300 flying hours shall be provided during a period of 120 days. For the present cost scenario the bidder will assume that the number of flights will be equally divided during day and night and that each flight will have a duration of at least 20 hours.

When planning one flight, the following parameters should be considered:

| | |
|---|-----------------------|
| Size of the Aol | 5,000 nm ² |
| Distance between deployment airport and Aol | 100 nm |
| Minimum duration of one flight | 10 hours |
| Maximum availability of services | 120 days |
| Number of hours of flight to be provided in this scenario | 300 hours |

The given value of the requested surveillance service provided by the Tenderer in response to the requirements of this cost scenario shall be presented using the Financial Proposal Template, attached to this document as Annex 2 and it will be considered as the total value of the prospective contract.

6.6. Exclusion criteria

In line with the Regulation (EU, Euratom) No 966/2012 of 25 October 2012 (with all amendments) on the financial rules applicable to the general budget of the Union, Tenderers shall be excluded from participation in a procurement procedure if they are in any of the situations as described therein.

In order to fulfil the eligibility criteria, the Tenderer or in case of consortium all member of consortium (and also all subcontractors, if applicable) shall provide within their bids the European Single Procurement Document (ESPD) or, as long as the ESPD is not available for EU institutions, a declaration on their honour, duly signed and dated stating that they are not in one of the situations referred above (see Annex III - the Tenderer's Declaration of Honour).

The Tenderer which will be selected for the award of the Contract shall provide in due time, preceding the signature of the Contract, the evidence confirming fulfilment of the Exclusion Criteria, as requested by the contracting authority.

6.7. Selection criteria

Tenderers must submit evidence of their legal, economic, financial, technical and professional capacity to perform the contract.

6.7.1. Legal capacity

Requirement

The tenderer's legal capacity will be evaluated using the following criteria:

- The tenderer is asked to prove that they are authorised to perform the Contract under the law of the country of establishment of the Tenderer.

Evidence required

- The Tenderer must be registered in a relevant commercial or trade register. Evidence of that must be provided by submission of a certificate of professional or commercial registration imposed by the country in which the Tenderer is established. If the Tenderer is not required or permitted to enrol in such a register for reasons of his statute or legal status, an explanation should be provided.

6.7.2. Economic and financial capacity

Requirement

The tenderer's economic and financial capacity will be evaluated using the following criteria:

- The tenderer must be in a stable financial position and have the economic and financial capacity to perform the contract.

Evidence required

Proof of economic and financial capacity shall be furnished by the following documents:

- The Tenderer must prove its financial reliability for the past three completed financial years. Evidence of that must be provided by submission of relevant balance sheets (provided that the publication of balance sheets is stipulated by the legislation on firms in the country where the Tenderer is established), which show the obtained Tenderer's financial balance for each of these past three years. If the Tenderer is not required to publish its balance sheets, an explanation should be provided.

If, for some exceptional reason which Frontex considers justified, the tenderer is unable to provide the references requested by the contracting authority, he may prove his economic and financial capacity by any other means which Frontex considers appropriate.

Frontex reserves the right to request any additional documentary evidence it deems necessary or useful in order to verify a tenderer's economic and financial standing.

6.7.3. Technical and professional capacity

Requirements

The tenderer's technical and professional capacity will be evaluated using the following criteria:

- The Tenderer must have at least three years' experience in providing similar equipment/services.
- The Tenderer must be able to provide a team of experts matching the requirements specified in the Terms of Reference.
- The Tenderer must demonstrate its technical ability to provide all the services and products required in this call for tenders.

Evidence required

The following documents or information shall be presented as evidence of compliance with the technical and professional capacity criteria:

- Evidence of experience must be provided submitting a list of contracts performed or deliveries executed in the past three year, indicating dates and recipients. The proper performance of the contracts listed therein

shall be documented in a form of a reference letter issued and signed by the authorised person of the particular Tenderer's client. At least 2 such reference letters are required to be submitted within the offer.

- Evidence of team capacity must be provided by submission of the professional profiles of the proposed personnel. The tenderer's written confirmation about certification of assigned crews (flight, mission, maintenance) for particular RPAS operation as well as flight operating experience, sensor operating experience and maintenance experience on particular RPAS and sensors. For all proposed contract staff dealing with managing data collected by the platform, the tenderer's written confirmation of possession by them of the EU confidential clearance or equivalent is required by the Contract signature date on the latest.
- Evidence of technical ability must be provided by submission of a detailed description of the technical equipment and material available to the Tenderer for the provision of the services and products required by this call for tenders. This description should include RPASs, payload combinations, communication options, and mission support capabilities.

7. Award of the contract

Offers are opened and evaluated by an evaluation committee, possessing the technical and administrative capacities necessary to give an informed opinion on the offers. The evaluation committee members are nominated on a personal basis by Frontex under guarantee of impartiality and confidentiality. Only the tenders meeting the requirements of the exclusion and selection criteria will be evaluated in terms of quality and price.

7.1. Technical proposal

The assessment of technical quality of the submitted offer will be based on the ability of the tenderer to meet the purpose of the contract as described in section 6.5.

7.2. Technical evaluation for both Lots

The quality of technical offers will be evaluated in accordance with the award criteria and the associated weighting detailed in the evaluation table 1 below.

| Criteria | Max points |
|---|------------|
| Rationale, strategy and method | |
| ➤ Adequacy of the proposed approach to the requirements set out in the Terms of Reference | 5 |
| Work organisation and planning within the tenderer | |
| ➤ Completeness of the service provision description | 5 |
| ➤ Clarity and quality of the work organization | 5 |
| Involvement of key personnel | |
| ➤ Joint capacity of the teams of experts proposed as Flight Crews | 5 |
| ➤ Joint capacity of the teams of experts proposed as Mission Ground Crews | 5 |
| ➤ Joint capacity of the team of expert proposed as Maintenance Ground Crews | 5 |
| Suitability and scalability of Technical Means offered by the Tenderer | |
| ➤ Platform endurance (Lot 1: above 20 hr/ Lot 2: above 10 hr) | 5 |
| ➤ Platform take off/landing crosswind velocity limitation | 5 |
| ➤ RPAS Communication Capabilities (SATCOM, VHF marine relay) | 5 |
| ➤ Electro optical equipment in the RPAS | 10 |
| ➤ Maritime radar equipment in the RPAS | 10 |
| ➤ AIS Receiver in the RPAS | 5 |
| ➤ Data Exploitation in the Ground Station | 10 |
| ➤ BLOS data transfer capabilities (Uplink speed in kbps) | 10 |
| ➤ Close to real time motion picture transfer capability to Coordination Centre (frames per second rate, frame size in pixels) | 10 |
| TOTAL | 100 |

Table 1 Technical Evaluation Criteria for both Lots

Notes to the Award Criteria table:

- Joint capacity of the teams of experts proposed as crews (flight, mission control, maintenance) Staff team will be evaluated according to average qualifications and experience on a particular RPAS;
- Platform endurance - the highest points - in each Lot- will be allocated to maximum mission endurance of the RPAS with mission equipment above the minimum required, including final reserve fuel and contingency fuel. Platform endurance includes the availability of sufficient flight and mission control crews;
- Platform take off/landing crosswind velocity limitation - the highest points will be allocated to the Tenderer offering RPAS platform with higher crosswind resistance;
- Offers scoring less than 60% of the total maximum number of points will be deemed to be of insufficient quality and eliminated from further consideration.

7.3. Choice of the selected Contractor

The Contract will be awarded to the tenderer offering the best value for money, taking into account the awarding criteria listed above. No award criteria and sub-criteria other than those detailed in Table 1 will be used to evaluate the offers. The Tenderer will use the Financial proposal form, Annex 2, to inform of their proposed financial value for the provision of the corresponding Cost Scenario services described in section 6.5.

The weighting of quality and price will be applied as follows:

Score for tender X = (cheapest price/price of tender X) x 40 + (Total quality score of tender X/ 100) x 60

where the price factor is the total price given by the bidder to the Cost Scenario described in section 6.5.

7.4. Financial proposal

The financial proposal for providing the services described in section 6.5 above should be presented using the template in Annex 2. The price shall be presented following the requirements specified in points 6.5.8 and 6.5.9 above, for Lots 1 and 2 respectively.

7.5. Notification of outcome

Each tenderer will be informed in writing about the outcome of the call for tender.