

EMSA NEG/19/2014

Legal services in the field of aviation law

Questions and Answers

Question 01 (dated 23 May 2014, 14:32):

We are analysing the possibility of submitting an offer for the tender no. EMSA/NEG/19/2014 (*Legal services in the field of aviation law*). In this context, we kindly request EMSA to provide us additional information on the following issues:

- (i) In accordance with the "Tender specifications", a company wishing to submit an offer for this procurement procedure may request for provision of the drafts of *Airplane Availability Contract* and *Incidence Response Contract*. If the interested company requests for these drafts, shall it be afterwards obliged to submit an offer for the procurement procedure?
- (ii) Is a list of airplane operators (pre-)selected (or candidates) in the context of the tender no. EMSA/CDI/01/2014 available? These elements are relevant for the purposes of the "Declaration of absence of conflict of interest and confidentiality".

Answer to question 01:

- (i) As indicated in point 2.4 of the Tender Specifications companies wishing to submit an offer for this procurement procedure may request provision of electronic copies of the draft *Airplane Availability Contract* and *Incident Response Contract*. Companies making such a request and provided with the draft contracts are not obliged to submit an offer for the procurement procedure. However, provision of draft contracts is subject to the submission together with the request of a duly completed and signed declaration of absence of conflict of interest and confidentiality attached as annex 6 to this Invitation to Tender.
- (ii) The names of the companies pre-selected within the framework of the tender N°EMSA/CDI/01/2014 are not publicly available and should remain confidential to EMSA. The "Declaration of absence of conflict of interest and confidentiality" is a declaration which purpose is to ensure that companies interested in participating to the procurement N°EMSA/NEG/19/2014 – legal services in the field of aviation law and which may potentially be awarded with the

Service Contract under this procurement declare that to their knowledge they have no conflict of interest within the framework of the procurements N°EMSA/CDI/01/2014 for Service Contract for aerial application of dispersant services and N°EMSA/NEG/19/2014 - legal services in the field of aviation law.

Following signature of the contract the company awarded the legal services will be asked to sign another declaration of absence of conflict of interest and confidentiality, that will impede the company to offer its services to any of the candidates in the context of the procurement procedure EMSA/CDI/01/2014.

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Requests for additional information regarding this tender should be sent by e-mail to the following address NEG192014@emsa.europa.eu

Requests for additional information received less than five working days before the closing date for submission of tenders will not be processed.

The deadline for submission of the bids of this tender is 02 June 2014, 12h00 (Lisbon time)

Responsibility for monitoring the Agency's website for replies to queries and/or further information remains with potential applicants.