DISCLAIMER

This presentation material does not contain sufficient information to be used, in any way, in the context of the ITT (Invitation-to-Tender) AO 1-8855.

This presentation is just to help understand, in a simplified manner, some of the Rules and Procedures associated with ESA procurements and in particular of this ITT.

Please ensure that your Outline Proposal is compliant with the requirements contained in the ITT AO 1-8855 documentation.

Summary of presentation

1. Basics of ESA Procurement
2. ITT Package for Permanently Open Call for Outline Proposals
   a) Cover Letter
   b) Draft Contract
   c) Tendering Conditions
   d) Proposal Template
3. Basic Step-by-Step Recipe
4. The Tender Evaluation
5. The Negotiation Period
6. Debriefing
7. Schedule
8. Questions
9. Proposal Template (and hints and tips)

1. BASICS OF ESA PROCUREMENT
ESA electronic procurement tools

Main ESA Corporate Applications which are supporting the procurement process:

- **ESA-STAR** : ESA's online System for **Tendering** and **Registration** – is the electronic Tendering interface for ESA and its external partners.

- **EMITS :** ESA's web-based system for publishing Invitation-to-Tenders (ITT).

- **ESA-P:** ESA's portal for the supplier once a Contract is signed with ESA. It covers all financial aspects (invoicing/payments) => **access ONLY when you have a contract with ESA.**

1. BASICS OF ESA PROCUREMENT
ESA-STAR or EMITS?

Activity	Use
Registering with ESA as a new external entity (potential bidder/supplier)	**ESA-STAR Registration**
Accessing your entity-related data in order to update, verify, validate, modify or complete the registration process as a new or existing bidder/supplier. **PLEASE UPDATE IT EVERY YEAR.**	**ESA-STAR Registration**
Accessing Intended and Published Invitations To Tender (IITTs) and expressing interest.	**EMITS**
Accessing Invitations to Tender in which you might be interested or, via your own in-box, Requests for Quotation – RFQs, restricted ITTs, etc. specifically addressed to you.	**EMITS**
Requesting the system to create a dedicated work area (the Bidder's Restricted Area) allowing you to prepare your proposal, submit requests for clarifications, etc.	**EMITS/ESA-STAR**
Submitting your proposal	**ESA-STAR Tendering**

1. BASICS OF ESA PROCUREMENT
BE AWARE!!
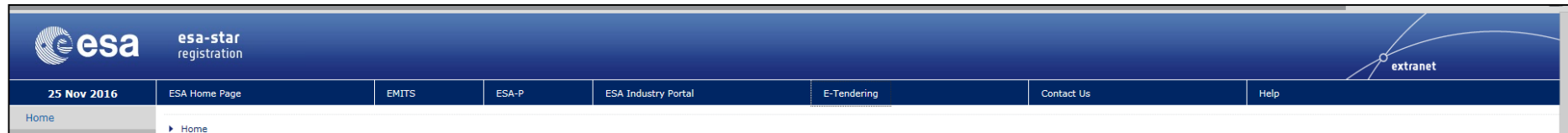
Registration on **ESA-STAR** is a pre-requisite for all entities wishing to do business with ESA.

Without an **ESA-STAR** (https://esastar-emr.sso.esa.int/) registration (ESA Entity Code) there is **NO** access to the ITT documents in **EMITS**.

Without **ESA-STAR full** valid and updated registration (ESA Entity Code) there is **NO** contract.

1. BASICS OF ESA PROCUREMENT
ESA – STAR Registration

Registration in ESA-STAR is essential!

To register in ESA-STAR:

Go to https://esastar-emr.sso.esa.int/

Detailed information in:
https://esastar-emr.sso.esa.int/Account/Register

Support information in ESA-STAR Registration User Manual:
https://esastar-emr.sso.esa.int/Account/DownloadFile

User ID and password will be given to you after the ESA-STAR registration is validated by ESA.

1. BASICS OF ESA PROCUREMENT
ESA – STAR Registration

To become a "Registered Entity" with ESA:

1. The first step is to check whether your organisation is currently registered as an "Entity" and/or a "Business Unit" belonging to an existing Entity;

2. If not, you can register your entity by completing the ESA on-line questionnaire and submitting your entry for validation;

3. You may carry out your registration in 2 steps:

   - **"Light" registration** awarded after entity nationality verification:
     will grant access to all ESA-STAR services up to and including proposal submission and to all EMITS services in particular to download offers you are allowed to bid for in relation to your entity nationality).

   - **"Full" registration:**
     The award of ESA contracts requires **"Full"** registration.

1. BASICS OF ESA PROCUREMENT
ESA – STAR Registration

ESA-STAR Registration (https://esastar-emr.sso.esa.int/)

Click here to register or edit your registration

Click on "new registration" and then on "start"

You may download the user manual on "Help"

1. BASICS OF ESA PROCUREMENT
ESA – STAR Tendering

ESA-STAR Tendering (https://esastar.sso.esa.int/)
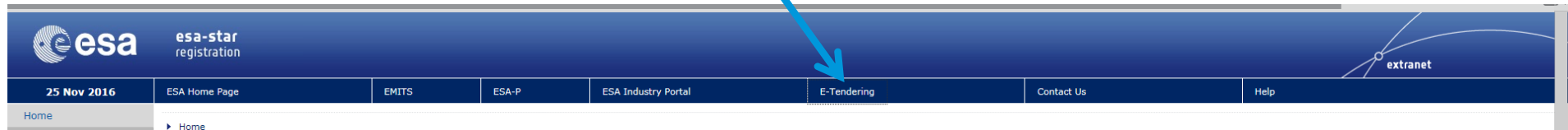
If you are already registered in ESA-STAR, you need **ESA-STAR Tendering** when you find an interesting ITT in EMITS and you want to bid.

Video: http://www.esa.int/spaceinvideos/Videos/2016/03/Bidder_Restricted_Area_creation_and_structure

In **EMITS** you request the system to create a dedicated work area (the Bidder's Restricted Area) where you can:

- upload and submit offers to ESA.
- submit clarification and extension requests up to the deadlines set by ESA.
- recall your proposal at any time before the closing date.

1. BASICS OF ESA PROCUREMENT
ESA – STAR Tendering

Video: http://www.esa.int/spaceinvideos/Videos/2016/03/Offer_Preparation_and_Submission

1. BASICS OF ESA PROCUREMENT EMITS

EMITS - Electronic Mail Invitation to Tender System is ESA's web-based system for publishing (competitive) Invitation-to-Tenders (ITT). It includes:

- A list of intended ITTs: potential Tenderers may declare their interest and see which other companies have done the same. Interesting to identify potential partners

- Many technical, administrative and contractual standards and documents (e.g. PSS-A forms, engineering standards etc).

- Open Competitive ITTs.

- Competitive ITTs published by ESA on behalf of other entities

- NEWS – Consultations to industry, Announcements, etc.

- To obtain access to the tender documents you require a user ID and password which you will receive once registered.

1. BASICS OF ESA PROCUREMENT
EMITS – Expression of Interest

To be notified of changes, updates and clarifications of the call, you MUST express your interest by ticking the appropriate box.

1. BASICS OF ESA PROCUREMENT
EMITS – User Preferences

We advise you to set up your preferences regarding which ITT's you would like to be notified of:

1. BASICS OF ESA PROCUREMENT
EMITS – User Preferences

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EMITS – User Preferences

1. BASICS OF ESA PROCUREMENT
EMITS – User Preferences

1. BASICS OF ESA PROCUREMENT
EMITS – User Preferences

1. BASICS OF ESA PROCUREMENT
ESA-P - ESA Portal for suppliers

You won't need to access ESA-P until you have a contract with ESA

1. All financial aspects, like advance payments, milestones achievements with deliverables and invoicing/payments are dealt with using ESA-P, ESA's financial tool based on SAP

2. You can request a username and password to our helpdesk:

   IDHelp@esa.int or +39 06 941 80700, option 2

3. Tutorials on how to use ESA-P are available on the supplier's portal:

   http://esa-p-help.sso.esa.int/QUICK_GUIDE_How_to_SUBMIT_a_MAC_or_INV_or_ADV.pdf

Invitation to Tender (ITT)
AO/1-8855/17/NL/SC

Third Call for Outline Proposals under the Plan for European Cooperating States (PECS) in Latvia

2. ITT Package

ITT/AO Cover Letter

Annex A: Workplans of ESA
Annex B: Technology Readiness Levels (TRL)

Appendix 1:
Draft contract

Appendix 2:
Tendering Conditions for Express Procurement
Procedure

Appendix 3:
Proposal Template
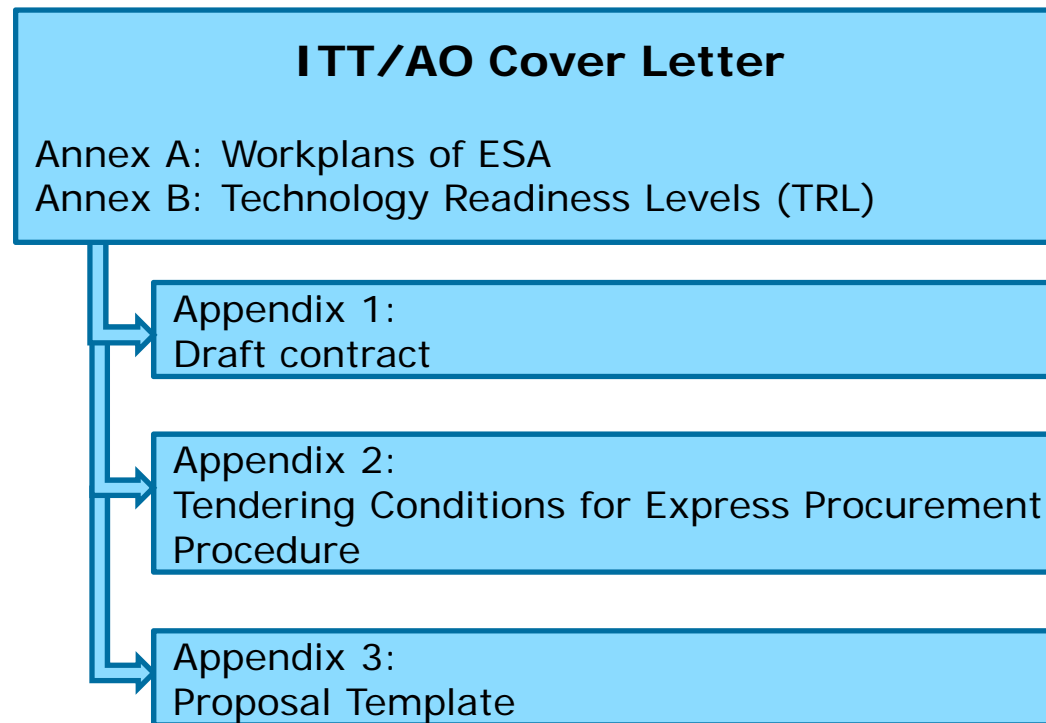
2. ITT Package – Cover Letter

ESA UNCLASSIFIED ITT - For Internal Use - Limited Distribution

version 3 rev 1 : 2016 04 01

Image of first half page

estec

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and Technology Centre
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www.esa.int

Responsible Contracts Officer
Ms Sandy Courtois (IPL-PTS)
Tel. +31 71 565 8230
Fax +31 71 565 5773
E-mail: Sandy.Courtois@esa.int

Subject:	**Invitation to Tender for the Third Call for Outline Proposals under the Plan for European Cooperating States (PECS) in Latvia.**
REF.:	AO/1-8855/17/NL/SC
	Activity No. 1000018880 in the "esa-star" system
ITEM No.:	16.179.06 in the list of ESA intended Invitations to Tender
BUDGET LINE:	E/0908-07 - PECS Latvia
CATEGORY:	ESA EXPRESS PROCUREMENT (EXPRO+) / OPEN-COMPETITIVE

2. ITT Package – Cover Letter

The Cover Letter contains a number of **essential features** regarding the ITT e.g.

- The name of the responsible Contracts Officer (S. Courtois)

- Submission deadlines for evaluation

- All programmatic and price constraints

- Description of the process of evaluation and selection

- Evaluation criteria

- Instructions and restrictions for proposals submission

2. ITT Package – Cover Letter

The Cover Letter indicates the formal conditions of submission, i.e. the **exact duration of the tendering period and the exact date (31st of March 2017) and time (13:00 hours CET)** by which proposals must be submitted.

The ITT/AO is expected to be published on the 30th of January 2017

2. ITT Package – Cover Letter
What to submit?

<u>See section 1. of the COVER LETTER</u> :

1. The present ITT is addressed only to Latvian companies (including SME) or academic and research organizations.

Tenderers are therefore requested to note that the Agency can only consider proposals from companies or organizations residing in the Republic of Latvia. Consortia including companies and organizations within other ESA Member States may be accepted if duly justified. Tasks assigned to non-Latvian entities shall in any case not constitute the core activities of the proposed study or development and shall not exceed 20% of the total price.

2. ITT Package – Cover Letter
What to submit?

Tips:

✓ If your company/institute has no expertise in space activities a non-Latvian partner may be part of the team (as sub-contractor) but you have to ensure that you are doing the core activities.
    Example: one of the Large-Space-Integrators, defining requirements and/or specifications or performing tests and/or qualification.

✓ if test or qualification facilities are necessary and these are not available in Latvia or the know-how to do it, you may have a non-Latvian partner within the ESA Member States (as sub-contractor).

2. ITT Package – Cover Letter
What to submit?

See section 2. of the COVER LETTER :

2. The total budget earmarked for this ITT is :
Euro One Million and Five Hundred Thousands (1,500.000 Euro).

2. ITT Package – Cover Letter
What type of activities?

<u>See section 3. of the COVER LETTER </u> :

3. The subject of this ITT is exclusively for the following activity types:

a. Hardware activities (e.g. flight hardware) related to ESA's missions, in the form of payloads or its sub-systems, or satellite-platform technologies and sensors, or to generic technologies with potential for re-use (the start TRL shall be at least 3 and the target TRL shall be at least 5);

b. Research and Development activities (including technology demonstrations, industrial processes and their qualification/certification) leading to products (hardware or software) or to generic technologies with potential for re-use (the start TRL shall be at least 2 and the target TRL is below 5);

2. ITT Package – Cover Letter
What type of activities?

See section 3. of the COVER LETTER :

3. The subject of this ITT is exclusively for the following activity types:

c. Space applications, products and services making use of space infrastructure that is already existing or scheduled for operation in the near term (the start TRL shall be at least 4);

d. Preparatory activities (paper studies, e.g. feasibility studies, user requirements or market surveys) to support national competitiveness related to ESA programmes (optional or mandatory); to which Latvia may in the future have an interest to subscribe;

e. Awareness and education activities:

i.   to raise awareness about space technologies and their practical application (including demonstration activities in secondary   education institutions and science centres);

ii.   to increase young people's motivation to choose space related education and industry as a career.

2. ITT Package – Cover Letter
For what price?

See section 4. of the COVER LETTER :

4. For each activity type, Tenderers are invited to submit Outline Proposals for the following **maximum price:**

Type a	a price not higher than **Euro 400.000***;
Type b	a price not higher than **Euro 200.000***;
Type c	a price not higher than **Euro 150.000**;
Type d	a price not higher than **Euro 50.000**; and
Type e	a price not higher than **Euro 75.000**.

The final selected activities, after successful negotiation, will result in firm-fixed-price contracts 100% funded by the ESA PECS budget. The Agency reserves the right to conduct a pre-award audit, if deemed necessary.

2. ITT Package – Cover Letter
For what price?

<u>**See section 4. of the COVER LETTER :**</u>

* Activities with a total cost higher than this limit must be proposed as **Phased activities with the initial Phase(s) costs falling within this limit.**

In these cases the costs shall cover at least **Phase 1 (reaching at least TRL5 for a) and TRL 4 for b)**).

In these cases, the proposal must also present the **full cost to completion (to reach at least TRL 6 for a) and TRL 5 for b)**) over all phases. A brief description of all consecutive phases shall also be provided in the proposal.

2. ITT Package – Cover Letter
Who leads?

See section 5. of the COVER LETTER :

5. **Prime contractorship**

Tenderers' teams may be composed of industry, academic/research organizations or both. However, for the different types of activities:

Type a must be led by **industry (prime contractor).** Exceptions may be granted for activities pertinent to ESA's Space Science Programme, leadership by academia may be allowed if duly justified and in any case an important credible industrial participation is required.

Type b must be led by **industry if the target TRL higher than 3. For target TRL 3, or lower**, the proposal may be led by **industry or academic/research organisation**.

Type c should preferably be led by industry but in any case the consortia making a proposal must include **partners who have the capability to develop the application, product or service** to the point where it can be brought to the market and become part of an ongoing, sustainable business.

Type d may be led by **any legal entity** depending on the specific context while ESA mission related services must be led by industry.

Type e may be led by **either industry, universities/research organizations or other national entities** depending on the context.

2. ITT Package – Cover Letter
Academic or Industrial Organisations?

Tips:

a) Flight hardware - these proposals **MUST** be led by industry

b) R&D - these proposals MUST be led by industry if target TRL is higher than 3.

c) Applications – credibility depends on the consortium to develop and establish a service. Anyway the proposal **SHOULD** preferably be led by industry.

d) Preparatory - may be led by either depending on the context but ESA mission related services **MUST** be led by industry.

e) Awareness and Education activities – may be led by either depending on the context.

2. ITT Package – Cover Letter
What content?

See section 6. of the COVER LETTER :

6. The proposed activity shall have potential for further use or development in ESA activities:

a) The proposed activity shall address at least one of the following:

– foster the development of space-related capabilities, especially in industry, in preparation for a potential future accession of the Republic of Latvia to the ESA Convention;

– address specific niche markets (no competitive products available elsewhere in Europe or when a second source would be an asset);

– foster the creation of strong and long-term relations between national firms and well-established space firms in ESA Members States;

– foster the creation of strong and long-term relations between national firms and national universities and research institutions.

2. ITT Package – Cover Letter
What content?

See section 6. of the COVER LETTER :

6. The proposed activity shall have potential for further use or development in ESA activities:

b) In addition, the technical subject shall take into account:

Of special interest are:

– activities leading to cross-sectorial products/services relevant to different types of satellite missions that are used in several types of satellite platforms, **in particular those relevant to Space Science**;

– activities having the potential to increase competiveness and bring long-term benefits to Latvian industry and to the Republic of Latvia in its participation in space activities;

– activities having the potential to stimulate economic growth or other societal benefits within Latvia in the medium-term (i.e. within five years) and on a long term sustainable basis.

2. ITT Package – Cover Letter
What content?

See section 6. of the COVER LETTER :

The Intellectual Property Rights (IPR) of what is being pursued with the activity must also be considered and explicitly addressed in the Outline Proposal. In principle, the proposed activity should lead to a **product/application/service with IPR owned by a Latvian entity**; however, this requirement may be waived when there is a clear Latvian national benefit for example in the form of the establishment of a long-term supplier relationship.

2. ITT Package – Cover Letter
What content?

See section 6. of the COVER LETTER :

c) **Tenderers shall avoid duplication of ongoing and intended activities in ESA described in the documents provided in Annex A.** Such duplication will lead to rejection of the Outline Proposal. However, complementarity to these activities is allowed.

> **Programmatic Alignment:** Search the workplans (documents) and the websites supplied (ANNEX A of the COVER LETTER) to be sure that your idea/proposal is not already covered. If it is, your proposal will be rejected.

2. ITT Package – Cover Letter
Compliance and number of proposals

See section 8. of the COVER LETTER :

Please ensure that your tender complies with the following essential requirements:

- You are required to clearly state that you **accept all terms and conditions of the Draft Contract** (see point 10 of the Cover Letter of the Proposal Template);
- Your tender is **valid during a period of twelve (12) months** from the date of tender submission.
- **The total number of pages shall not exceed 25 pages** excluding the PSS forms.

See section 9. of the COVER LETTER :

Number of proposals for submission per Tenderer

The number of proposals per Tenderer (as prime contractor) **is restricted to a maximum of 2 (two)** independent and unrelated proposals.

2. ITT Package – Cover Letter Workplans

ANNEX A of the Cover letter

o Links to workplans for all relevant ESA programmes (recent past, current and future)

- General Studies
- Technology Research Programme
- Cosmic Vision
- Robotic Exploration
- General Support Technology Programme
- Earth Observation
- Global Navigation Satellite System
- Advanced Research in Telecommunication Systems (ARTES)
- Space Situational Awareness

o **Intended** Invitations-to-Tender (EMITS) covering all ESA Programmes

o Currently **Open** Invitations to Tender (EMITS) covering all ESA Programmes

A potential Tenderer must check if the activity he plans to present is already in ESA plans

2. ITT Package – Cover Letter
Annex B - TRL

ANNEX B of the Cover letter

ANNEX B

ESA has adopted the Technology Readiness Level (TRL) scale as a way to measure the maturity of a technology. It has now become a well-established standard. Indicate the TRL of the technology to be developed under the Contract using the classification given below(for additional information on definitions, please refer to footnote 4).

	Technology Readiness Levels
9	Actual system "flight proven" through successful mission operations
8	Actual system completed and accepted for flight ("flight qualified")
7	Model demonstrating the element performance for the operational environment
6	Model demonstrating the critical functions of the element in a relevant environment
5	Component and/or breadboard critical function verification in relevant environment
4	Component and/or breadboard functional verification in laboratory environment
3	Analytical and experimental critical function and/or characteristic proof-of-concept
2	Technology concept and/or application formulated
1	Basic principles observed and reported

TRL 9 — System Test, Launch & Operations
TRL 8 — System/Subsystem Development
TRL 7 —
TRL 6 — Technology Demonstration
TRL 5 — Technology Development
TRL 4 —
TRL 3 — Research to Prove Feasibility
TRL 2 — Basic Technology Research
TRL 1 —

Figure 1 – Technology Readiness Levels adopted in ESA

Regarding the maturity status of software the same number of TRL are indicatively used. A short description using software engineering terms is shown in Figure 2.

2. ITT Package – Cover Letter
Annex B - TRL

ANNEX B of the Cover letter

- **Technology Readiness Levels (TRL)**

  - Outline Proposal requires that you identify the start and target TRL of the proposed activity.

  - Contains information to help you identify the start and target TRL.

  - TRL is given for Software, Applications and Services as well as Commonly Used Engineering Terms.

2. ITT Package – Draft Contract

ITT/AO Cover Letter

Annex A: Workplans of ESA
Annex B: Technology Readiness Levels (TRL)

Appendix 1:
Draft contract

Appendix 2:
Tendering Conditions for Express Procurement
Procedure

Appendix 3:
Proposal Template
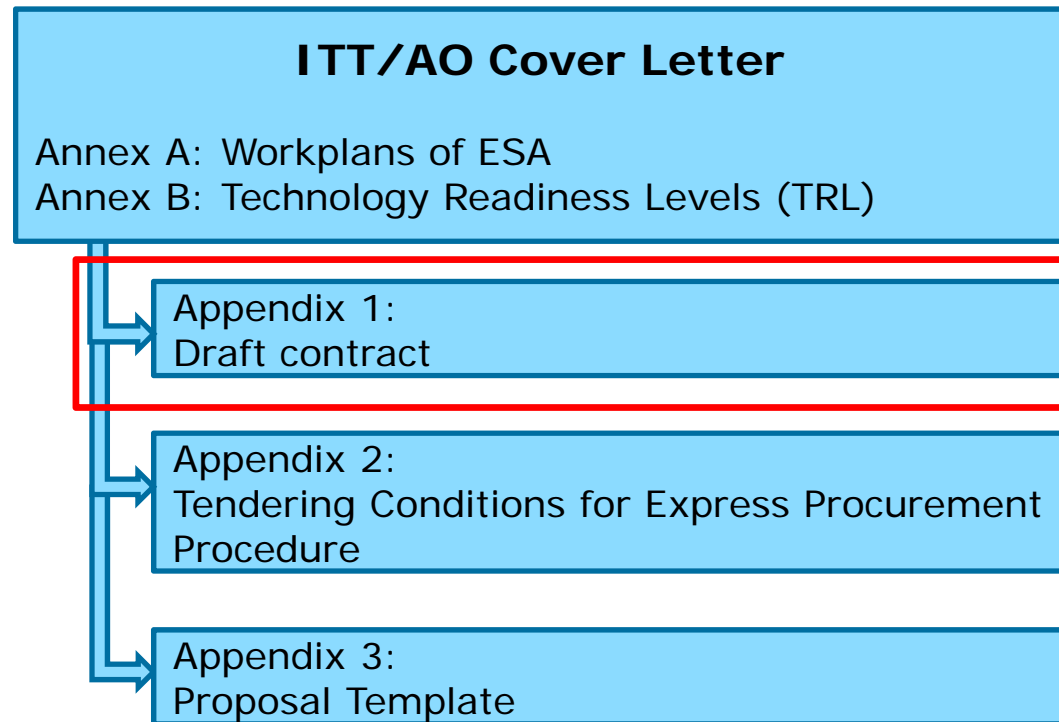
2. ITT Package – Draft Contract

ESA UNCLASSIFIED ITT - For Internal Use - Limited Distribution

ESA Contract No. 4000xxxxxx/17/NL/SC

with

[Contractor]

[Title of Contract]

2. ITT Package – Draft Contract

Appendix 1: Draft Contract

Please note: Full compliance to terms and conditions are expected.

- The draft Contract, is based on the EXPRO (+) Contract and the "relevant" parts of the ESA General Clauses & Conditions (ESA GC & C) are embedded in the Contract with some adaptations.
- The Clauses with an "Option" will be finalised at the negotiation stage
- the Draft Contract is tailored for straightforward contracts, should the activity be more complex (e.g. flight hardware activities) the Contract will be adapted accordingly and the standard procurement procedure may be implemented.
- The Annexes form an integral part of the Contract.

2. ITT Package – Tendering Conditions

ITT/AO Cover Letter

Annex A: Workplans of ESA
Annex B: Technology Readiness Levels (TRL)

Appendix 1:
Draft contract

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Procedure

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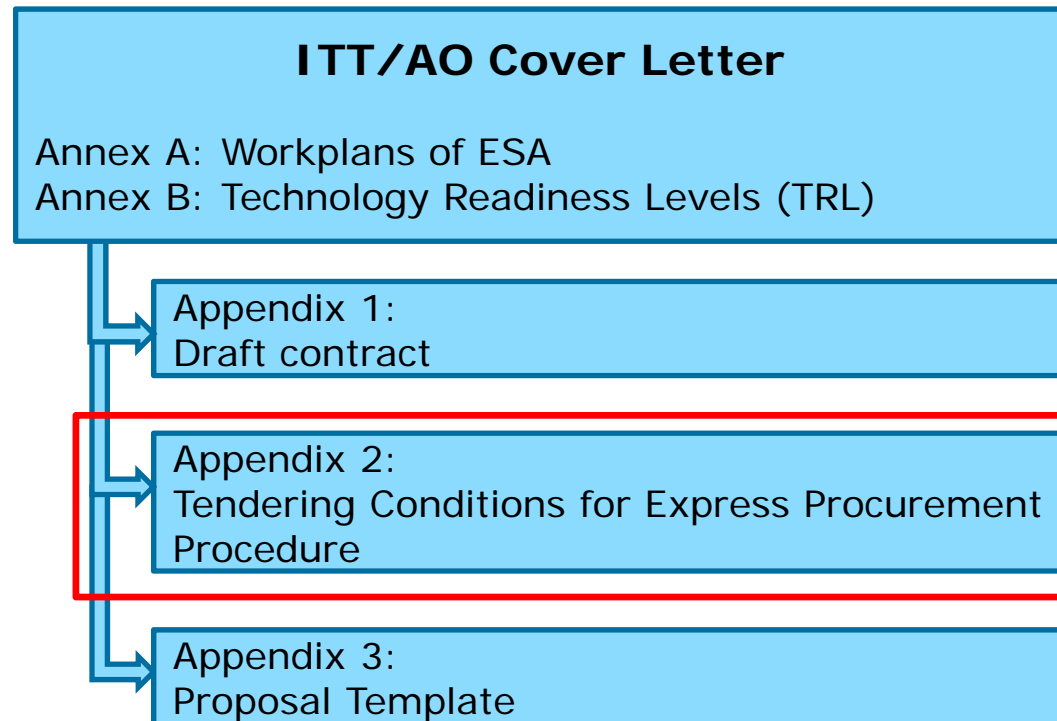
2. ITT Package – Tendering Conditions

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Appendix 3
Tendering Conditions (EXPRO/TC)
Page | 1

EUROPEAN SPACE AGENCY – ESA

EXPRESS PROCUREMENT PROCEDURE – "EXPRO" / "EXPRO+"

TENDERING CONDITIONS ("EXPRO/TC")

NOTE

For the purposes of "EXPRO" and "EXPRO+" categories of Requests for Proposal (RFP) and Invitations to Tender (ITT) aimed, respectively, at the placing of contracts for low- to medium-value procurements through a simplified tendering procedure, the Agency's ESA Procurement Regulations (ESA/REG/001, rev. 4) shall

2. ITT Package – Tendering Conditions

Appendix 2:
Express Procurement Procedure Tendering Conditions

- The EXPRO (+) Tendering Conditions ("EXPRO/TC") apply instead of the ESA General Conditions of Tender.

- The Proposal Template replaces the Special Conditions of Tender.

  - Formal conditions for tendering (eligibility, negotiation, retention etc.)

  - Compliance and Key Acceptance Factors

  - Communication with ESA

  - Proposal submission conditions

  - Deviations waivers from ESA procurement regulations

  - General considerations regarding ESA-STAR

  NOTE: Annex II to the Tendering Conditions contain important practical information for submitting proposals to ESA-STAR.

2. ITT Package – Proposal Template

ITT/AO Cover Letter

Annex A: Workplans of ESA
Annex B: Technology Readiness Levels (TRL)

Appendix 1:
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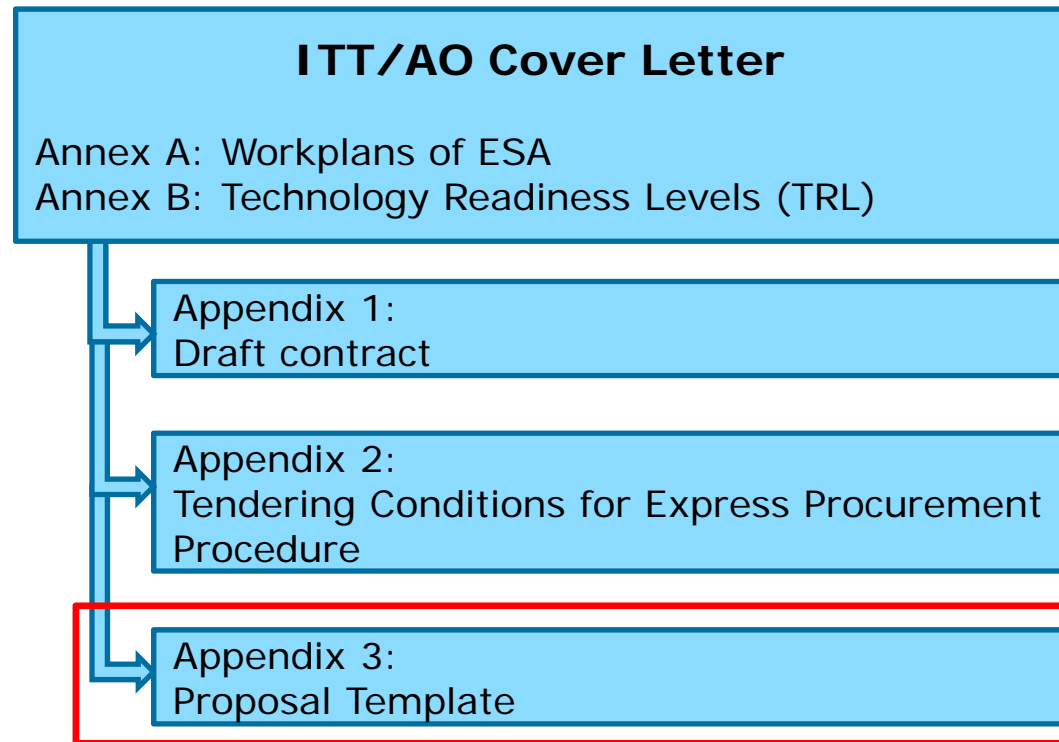
2. ITT Package – Proposal Template

Image of first half page

ESA TENDERING STANDARDS FOR "EXPRESS PROCUREMENT" ("EXPRO+")

COVER LETTER

[N.B. Please use this template to prepare your proposal. Once the proposal is complete and internally validated, please remove all captions in red colour, delete all ESA headers/footers, add your own logos, headers/footers prior to finalising your proposal for submission to ESA.

When submitting to "esa-star" system, separate the Cover Letter from the Detailed Proposal Template according to the required proposal elements]

[COVER LETTER]

From: .... (*Tenderer* to insert name of the company/institute submitting the tender)

Date: .... (*Tenderer* to fill in the date of the proposal)

To: The EUROPEAN SPACE AGENCY (ESA)

               The European Space Research and Technology Centre (ESTEC),
               Keplerlaan 1,
               2201 AZ Noordwijk,
               The Netherlands

2. ITT Package – Proposal Template

- **Appendix 3:** Proposal Template

    - **Cover Letter**

    - **Part 1** – Technical and Application Part

    - **Part 2** – Management Part

    - **Part 3** – Financial Part
        - The PSS forms MUST be submitted by both the Tenderer (contractor) and his sub-contractors (one set each). Please note that all PSS forms **MUST** be signed.

    - **Part 4 –** Contract Conditions Part

Note: All red font paragraphs of the template are for your information and should be deleted. NO CHANGE in the structure, title headings, margins, font are allowed.

When submitting to ESA-STAR, separate the Cover Letter from the detailed and completed Proposal Template.

2. ITT Package – Proposal Template
To get PSS Forms

3. Basic Step-by-Step Recipe

START
I have an idea and I want to bid in the Call for Outline Proposals

Registered in ESA-STAR?

YES → Get AO 1-8855 Documents in EMITS

NO → Register in ESA-STAR

Read:
- Cover Letter
- Clarifications

Idea fits subjects in Cover Letter?

NO → END

YES →

Read:
- App. 1 – Draft Contract
- App. 2 – Tendering Conditions
- App. 3 - Proposal Template (also its Cover Letter)
- Clarifications

END

Is it in the planned activities?

NO → END

YES →
- Express your interest in EMITS.
- Prepare a proposal when ITT is published.

Search links in the Annex A of Cover Letter:
- Workplans: GSTP, ARTES, etc.
- EMITS

Is your Idea already there?

YES →

NO → A   SEE NEXT VIEWGRAPH

Still intending to send a proposal?

YES →

NO → END

3. Basic Step-by-Step Recipe

A → **Download (in EMITS):**
- ITT package
- PSS Forms (A1,A2, A8 & A15.1)

→
- Create your Bidder Restricted Area in the ITT page in EMITS
- Fill in Consortium Structure in ESA-STAR

↓

Prepare proposal using template

→ Clarification needed?

YES → Access "My requests" in your Bidder Restricted Area and create a new Clarification request ↑ (back to Prepare proposal using template)

NO →
- Fill declaration of Compliance and Key Acceptance Factors
- Sign and scan your Proposal
- Upload and submit your proposal in ESA-STAR Tendering

→ **END**

Notes:

- Maximum length of a proposal is 25 pages (without PSS forms)

- Maximum of 2 independent and unrelated proposals

3. Basic Step-by-Step Recipe
Additional information

- **ALL** questions related to this Invitation to Tender must be submitted via **ESA-STAR Tendering** in your Bidder Restricted Area. **

- Those Questions and Answers that are of relevance to all Tenderers, will be published on EMITS as a clarification for the benefit of all Tenderers.

- After the announced submission deadlines, there is a formal opening (Tender Opening Board) of the outline proposals that have been submitted. The compliant proposals will be accepted for evaluation by the Tender Evaluation Board (TEB). Non-compliant proposals will be rejected and not evaluated.

- After the technical evaluation by ESA and the review by the Task Force, **ALL** Tenderers will be notified.

** With the exception of questions relating to EMITS and ESASTAR which should be addressed to IDHelp@esa.int

4. The Tender Evaluation

The technical evaluation is performed by the **Tender Evaluation Board (TEB):**

- TEB is composed of technical ESA staff that are experts in the specific area of the proposal.

- Statement of Non-Disclosure and Non-Interest Form signed by all TEB members.

- All outline proposals are reviewed technically by the TEB.

- The TEB will assess and mark the proposals. A TEB report will be written containing all details of the evaluation.

- A summary of the TEB report with the technical evaluation, ranking of proposals and recommendations is submitted to the Ministry of Education and Science of the Republic of Latvia. **No detailed financial information (e.g. hourly rates) will be disclosed.**

4. The Tender Evaluation
Evaluation Criteria

No.	Evaluation Criterion	Weighting Factors %
1	Clarity of the technical objectives and definition of the requirements for the proposed work. Quality of engineering approach and discussion of problem areas. Quality and suitability of proposed programme of work. Background and experience of the entity/entities related to the particular field concerned, including adequacy of proposed facilities. Adequacy of the key personnel for the execution of the work.	40 %
2	Prospects for use in ESA programmes including long term benefit for Latvia. Consistency with programmatic objectives. Adequacy of the current and targeted maturity status of the development.	20 %
3	Adequacy of management approach. Credibility of the cost estimation and the proposed schedule.	30 %
4	Compliance with the administrative tender conditions of the call for outline proposals and acceptance of the draft contract.	10 %

4. The Tender Evaluation
Evaluation Criteria

Taking into account the Weighting Factors, the importance of the Criteria in descending order is:

- Criterion 1 – Technical

- Criterion 3 – Management and cost

- Criterion 2 – Programmatics

- Criterion 4 – Legal and administrative

ESA Marking:

90 Excellent

75 Very good

60 Good

50 Fair

40 Barely acceptable

<40 Below acceptability

Please note that only proposals with an overall mark above 50 will be submitted to the Ministry of Education and Science of the Republic of Latvia for programmatic review and possible recommendation for implementation

4. The Tender Evaluation
Evaluation Criteria

ESA together with the Ministry of Education and Science of the Republic of Latvia performs the programmatic evaluation of the proposals with an overall mark higher than 50:

1. Takes into account the summary TEB report containing the summary technical evaluation, marks, ranking and recommendations,

2. Considers programmatic priorities and national interests,

3. Recommends activities for implementation.

   The programmatic review is currently planned for June 2017.

5. The Negotiation Period

See section 11.e) of the COVER LETTER :

e) For the recommended proposals, ESA will either

   i) start the negotiation process to place a contract with the Tenderer on the basis of the submitted Outline Proposal and the comments from the TEB; or

   ii) issue a request for a full proposal, especially hardware related activities, to those Tenderers that submitted the selected outline proposals; or

   iii) decide to issue a competitive invitation to tender restricted to the Tenderers positively evaluated if two or more proposals on the same subject were positively evaluated.

6. Debriefing – unsuccessful proposals

See section 11.f) of the COVER LETTER :

f) The contact person of the Prime Contractor mentioned in the proposal (see point 7 in the Cover Letter of the Proposal Template) will be informed in writing of the result of the ITT after a decision has been taken. If the proposal has been unsuccessful, the Tenderer may request the nominated Agency's Contracts Officer to advise him of the reasons why the proposal has not been recommended in a verbal debriefing. Any information will be limited to the Tenderer's own proposal.

Important: ask for a debriefing!
It is the best way of learning why you lost and what you need to improve!

Suggestion: even you win, ask for a debriefing during the negotiation.

7. The Evaluation Process
Expected schedule

Publication in EMITS
- 30th of January 2017

Deadline for Submission of Outline Proposals
- 31st of March 2017

Tender Evaluation Board (TEB)
- End May 2017 (planned)

ESA-Latvia Meeting
- June 2017 (planned)

Communications to Bidders
4 to 6 weeks after the meeting
- negative outcomes will be communicated first
- positive outcomes conditional to approval by ESA Delegate Bodies

First contracts based on Outline Proposal
- Mid October 2017

8. Questions?

Are there any questions regarding the presentation? Or questions of interest to the general audience?

For questions related to specific projects or issues use the one-on-one sessions. In the one-on-one sessions please do not ask general questions – they are very limited in time.

?

For issues **DIRECTLY** related to this Call contact (Contract Officer):

Email: sandy.courtois@esa.int   Phone: +31 71 565 8230

For issues **NOT** related to this Call (AO 1-8855), feel free to contact:

Email: maite.trujillo@esa.int   Phone: +31 71 565 8375

9. Proposal Template (and hints and tips)

During this presentation we will draw your attention to common mistakes and oversights in proposals. It is not a prescriptive 'do it like this' list and the material must be sensibly applied to your particular case.

There is no substitute for a good idea – this presentation will only help you to present your idea in a way it can be understood by reviewers.

This presentation will only help you to present your idea in a way it can be understood by reviewers.

Please ensure that your Outline Proposal is compliant with the ITT conditions of tender and cover letter – each ITT can be different.

REMEMBER: ESA is only allowed to evaluate what is in the proposal – do not assume that the reviewers have "your common knowledge" or that "it is commonly known". We cannot evaluate intentions, "read in-between-the-lines" or guess what you mean. We are only allowed, outside of the proposal, to consult EMITS or other ESA internal information.

9. Proposal Template (and hints and tips) Common Mistakes

VERY BRIEF summary of SOME of the most common mistakes seen:

Criteria 1

1. Objectives difficult to understand or not clearly stated.
2. Poor or missing technical requirements (e.g. not covering the key points, not quantified or verifiable, not matching market need)
3. Poor or missing engineering approach (e.g. Baseline concept not described, missing reviews or checks, lack of key testing or validation)
4. Poor or inadequate program of work (e.g. missing customer involvement, missing design or development steps) and inconsistency between text, flowchart, WPD and GANTT.
5. Missing experience or facilities – No information on relevant work done by the company, no or poor relevant CVs for the key personnel, no (or poor information) on facilities and/or having no plan to acquire it
6. Poor WPD (e.g. insufficient detail to understand the full scope of the work, no clear responsibilities, inputs and outputs of each WPD)
7. Poor WBS (e.g. spaghetti WBS and flowchart, too many/few WPD, WP not with tasks for more than one entity)

Criteria 2

1. Not meeting the programmatic constraints of the cover letter (e.g. not related to ESA needs or programmes, not space related, not credible start or target TRL, no clear benefit for the country, no user involvement in services and applications proposals)
2. IPR poorly addressed (e.g. not clear who will own it, confusing sharing of the IPR, necessary license not covered)

9. Proposal Template (and hints and tips) Common Mistakes

VERY BRIEF summary of SOME of the most common mistakes seen:

Criteria 3
1. Poor management plan (e.g. missing how you will monitor the timely implementation of the activity, QA/PA aspects as applicable, sub-contractor control or including a steering group or management 'team' instead of a Project Manager)
2. Poor planning (e.g. insufficient detail, no dependencies, too much in parallel, not matching scope of WPD)
3. Non-credible costing (e.g. hours not corresponding to described scope work in WPD, procurement of inappropriate items, excessive travel costs, price = max available envelope)
4. Poor deliverables (e.g. missing deliverables, poorly defined, not covering the full scope of work)

Criteria 4
1. Some of the documents not signed or missing (e.g. Cover Letter, PSS Forms)
2. Introducing changes on the Proposal Template
3. Not binding your proposal
4. Exceeding the maximum number of pages (or moving all key information to annexes e.g. CVs, facilities, background and experience or even worse; technical information
5. Disagreeing with the Draft Contract (that you accepted by signing the Cover Letter)
6. Leaving incomplete part of the essential information (e.g. milestone payments, deliverables, leaving empty the IPR section, management plan section or any other section – please fill it: if it is the case say that it does not apply and why)

9. Proposal Template
Cover letter

Image of first half page

ESA TENDERING STANDARDS FOR "EXPRESS PROCUREMENT" ("EXPRO+")

COVER LETTER

[N.B. Please use this template to prepare your proposal. Once the proposal is complete and internally validated, please remove all captions in red colour, delete all ESA headers/footers, add your own logos, headers/footers prior to finalising your proposal for submission to ESA.

When submitting to "esa-star" system, separate the Cover Letter from the Detailed Proposal Template according to the required proposal elements]

[COVER LETTER]

From: .... (*Tenderer* to insert name of the company/institute submitting the tender)

Date: .... (*Tenderer* to fill in the date of the proposal)

To: The EUROPEAN SPACE AGENCY (ESA)

The European Space Research and Technology Centre (ESTEC),

9. Proposal Template
Cover letter

Contains details on:

- The team submitting the proposal
- Cost of the proposal
- What type of activity (a, b, c, d or e)
- Duration of the proposal
- Who is the point of contact
- Acceptance of contract conditions
- Statement concerning export restrictions
- Statement on free competition
- Legal representative
- Validity of the proposal
- etc.

It MUST be signed

REMEMBER: by signing the cover letter you are accepting the contract conditions – so do not, in the proposal, state that you want to modify them.

9. Proposal Template
Cover letter

Hints and tips: The Title

Each call may have many proposals. To aid reviewers, take care with the title of your proposal. It should prepare them for what they are about to read and clearly identify your proposal:

- Keep it short
- Keep it clear
- Make it descriptive and relevant
- Do not waste time to think up overly long titles or try to force acronyms for the project.

Examples

- Boring – but OK: *"Increasing coffee sales by responding to customer demands"*
- Overly long and unnecessarily complex: *"Investigating and testing various methods of maximising financial revenue and fiscal returns resulting from bean derived hot beverages sales in a customer focused environment using direct market feedback and other methods."*
- Trying too hard for an acronym: *"Cash maximising Objectives for increased Financial and Fiscal returns in a European Environment for HOt Beverages Sales (COFFEE HOBS)"*

9. Proposal Template
Part 1 – Technical and Application Part

ESA TENDERING STANDARDS FOR "EXPRESS PROCUREMENT" ("EXPRO+")

DETAILED PROPOSAL TEMPLATE

PART 1 TECHNICAL AND APPLICATION PART

1.1 TECHNICAL OBJECTIVES:
[Outline the main technical and programmatic objective(s) and end goal(s) of the proposal. Indicate how it will be determined if the activity object of the proposal has effectively achieved its goals]

1.2 REQUIREMENTS:
[Identify and discuss the technical requirements to be able to achieve the specific Technical Objectives as outlined in section 1.1 above. When appropriate the requirements shall be associated to a quantitative value. The verification approach for each requirement shall be identified. Provide a justification / reasoning for such requirements]

1.3 TECHNOLOGY READINESS LEVEL:
[Identify with justification the current level of maturity of the technology (TRL) and the level of technical maturity to be reached at the end of the activity (TRL). Please refer to Annex B to the ITT Cover Letter for the description of TRLs. Please note that the type of activity proposed, Type a, b, c or d has to be compatible with the start and end TRL expected]

1.4 ENGINEERING APPROACH
    1.4.1 State of the Art
        [Present and discuss the state of the art. In this section, an overview of other solutions to address the objectives of the proposal are to be described. The objective of this section is for the bidder to demonstrate that they are aware of the field where they intent to contribute, and knowledgeable of the State of the Art].

9. Proposal Template
Part 1 – Technical and Application Part

1.1 TECHNICAL OBJECTIVES:
[Outline the main technical and programmatic objective(s) and end goal(s) of the proposal. Indicate how it will be determined if the activity object of the proposal has effectively achieved its goals]

1.2 REQUIREMENTS:
[Identify and discuss the technical requirements to be able to achieve the specific Technical Objectives as outlined in section 1.1 above. When appropriate the requirements shall be associated to a quantitative value. The verification approach for each requirement shall be identified. Provide a justification / reasoning for such requirements]

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9. Proposal Template
Part 1 – Technical and Application Part

Hints and tips: The Objectives

The Objective is what you hope to achieve with the proposal (i.e. the end goal) and the key constraints or conditions under which that should be met. This is sometimes called the mission goal in texts. In theory, everything you propose to do should be derivable from this statement.

1. Objectives should:
   1. Be short (1 to 3 sentences)
   2. Be clear and verifiable
   3. Contain the core essence

2. Objectives should not:
   1. Describe the work to be done, the work flow or how to do it
   2. Describe the nice to haves/ options
   3. Be overly long and descriptive

"'…this nation should commit itself to achieving the goal, before this decade is out, of landing a man on the Moon and returning him safely to Earth" **– this was the objective stated for a 24 Billion dollar project.**

In 'Application' part of the proposal you should justify WHY this is a good objective and how it fits the programmatic constraints!

9. Proposal Template
Part 1 – Technical and Application Part

Hints and tips: The Requirements

For proposals, requirements are the key measureable features that the product or the work must meet in order to be declared successful. They should take into account what the end user needs/ considers important.

Requirements are:
- Clear, verifiable, quantitative and measureable.
- Requirements tell you what needs to be achieved / realized
- Requirements are what we all use to measure if the objectives were achieved

Note: Ideally requirements will also be justified in the proposal.

Requirements are not:
- The facilities, tools, experience or personnel that you need to perform the work.

If you are not in a position to properly define a full set of clear, well formulated requirements then consider to either look at a preparatory activity or include an activity focused on requirement definition and include a work package to this end.

Examples... (next slide)

9. Proposal Template
Part 1 – Technical and Application Part

Hints and tips: The Requirements

Example (in a cafeteria):

Well formulated requirements:
- The coffee shall be served at a temperature between 85 and 90˚C.
- The coffee shall be delivered to the customer within 4 minutes of being ordered.
- The coffee shall be dispensed in 200ml +/- 10ml servings.
- The customer shall receive a biscuit with each coffee, included in the price of the coffee

Poorly formulated requirements:
- The coffee has to be a good temperature
- The coffee must be served quickly
- The coffee shall have big serving sizes
- We want people to have biscuits with their coffee

Not a requirement at all in this sense:
- We need to buy a kettle and coffee cups
- We need to hire someone to make the coffee
- We should do a trade off on what biscuits to give
- We shall get a coffee sellers license

9. Proposal Template
Part 1 – Technical and Application Part

1.4   ENGINEERING APPROACH

1.4.1 State of the Art
[Present and discuss the state of the art. In this section, an overview of other solutions to address the objectives of the proposal are to be described. The objective of this section is for the bidder to demonstrate that they are aware of the field where they intent to contribute, and knowledgeable of the State of the Art].

1.4.2 Technical Steps
[Present and discuss in detail the scientific/technical steps to achieve the objectives outlined under section 1.1. Note: the steps shall be consistent with those reflected in the Work Logic Diagram in section 1.7.1]

1.4.3 Implementation aspects
[Present a first iteration of the baseline design or concept. and discuss the trade-offs that need to be taken into account. In this section, the bidder is to show the overall logic of the work being proposed including any key review(s) and decision points. Discuss how the work performed will be validated (e.g. test plan and test approach) and how achievement of the objectives will be proven/ demonstrated]

This is expected to be the core/bulk of the proposal

9. Proposal Template
Part 1 – Technical and Application Part

> **Hints and tips: Engineering Approach -**
> **- Technical Steps and Implementation Aspects**

Strongly linked to Section *1.7.1 Proposed Work Logic* – in fact, this is the text description and justification of the flow chart and to the Work Breakdown Structure (WBS).

1. What are the key stages/ steps in the work/activity?
2. What is the goal/ purpose of each step?
3. What will be done in each step?
4. How will each step be assessed, controlled, reviewed or validated?
5. How does each step relate to the others?
6. If there are subcontractors: How is the work broken up between companies? Why?
7. What are the key trade offs? What are the key decision points?

9. Proposal Template
Part 1 – Technical and Application Part

> **Hints and tips: Engineering Approach -**
> **- Technical Steps and Implementation Aspects**

1. What is your proposed technical solution/ baseline?

    a. Provide sufficient detail for it to be understood by someone else (e.g. what technique, what waveband, what key technology?)

2. What alternatives exist?

    a. Brief overview of "State of the Art"

    b. Explain why you chose your proposed baseline instead of others, what benefit does it have over the others?

3. What evidence is there that it will work?

    a. Provide sufficient detail that the credibility can be understood/ checked by someone else

9. Proposal Template
Part 1 – Technical and Application Part

Hints and tips: Engineering Approach - - Technical Steps and Implementation Aspects

Coffee Shop Examples

1. What is your proposed technical solution/ baseline?

   In order to achieve the objectives, we will develop our Coffee Master 2000 hot beverage production unit. The Coffee Master 2000 will be based on our Patent # 1234 which uses high pressure steam, partial pre-preparation, automatic end user programmable software adaptation settings to enable the optimal and rapid production of more than 100 types and variations of hot beverage. It is capable of producing 6 beverages simultaneously with 1 operator. A breadboard has already been built and demonstrated the proof of concept of Patent # 1234. A functional diagram of the CM2000 is given in Fig 1.

2. What alternatives exist?

   The current state of the art in coffee production is the Caffeine Blaster 100 as used by Star Clucks – the market leader in this area. The Caffeine Blaster 100 can prepare 10 different types of coffee and can prepare 2 cups simultaneously.

   The Caffeine Blaster 200 is currently in development and scheduled to be released in 6 months. The CB200 can prepare 12 different coffee types and 4 simultaneous beverages. Other coffee production machines are the protected property of the provider (e.g. Lotsa Coffee) and not for sale to competitors.

9. Proposal Template
Part 1 – Technical and Application Part

1.5 TECHNICAL FEASIBILITY, PROBLEM AREAS AND DEVELOPMENT RISK:
[Provide evidence as to the feasibility of achieving the requirements and objectives identified in sections 1.1 and 1.2.
Identify, present and discuss the main technical problem areas and key development risks that may be expected during the execution of the activity in order to reach the proposed TRL level.
Propose mitigation and preventative actions to reduce the likelihood and potential impact of such risks/problems and discuss credible alternative design or implementation solutions to avoid identified potential technical problems that could become showstoppers]

1.6 APPLICATION OF TECHNOLOGY DEVELOPMENTS RESULTING FROM THE PROPOSED ACTIVITY
[Present the justification and reasoning for the objectives and evidence to show that such objectives meet the criteria of the call as outlined in the Cover Letter of the ITT under point 5. In addition: In the case of applications/services show the interest/involvement of potential users/ customers. For products show the potential market.
The bidder should provide an overview about the expected benefits of the proposed activity to your company/institution.
If the application is pertinent to an ESA Programme(s) please identify which programme would be relevant to your proposal; indicate the structuring effect of the proposed activity, in terms of possible continuation in ESA programmes, the relevant time frame, targeted missions, and cooperation potential]

9. Proposal Template
Part 1 – Technical and Application Part

> **Hints and tips: Problem areas and Risks**

The problem areas and risks discussions are intended to cover TECHNICAL and PROGRAMMATIC problem areas and risks that may arise DURING the work and cannot be pre-emptively resolved prior to the start of work.

Correct identification of risks **shows you understand the work** you are proposing.

Discussion of risks and problems should include a mitigation plan:

- What is the potential impact and what actions will you take to minimise the risk of it becoming a reality?
- What will you do if it does become a reality?
- Provide details to show those mitigating actions are credible and feasible.

9. Proposal Template
Part 1 – Technical and Application Part

Hints and tips: Problem areas and Risks

Good Example:

"The procured coffee machine breaks down during service"

Mitigation options that will be investigated:

a) procure a spare machine,
b) procuring a ready source of spares
c) ensuring a rapid call out repair service

Prevention actions:

a) ensure regular servicing and inspection with company X who have X years experience in this
b) Pre-procure and keep on stock the top parts most at risk of failure

Bad Examples:

"We don't have someone to make the coffee and are not sure to be able to hire someone."

"We might not be able to afford a coffee machine."

9. Proposal Template
Part 1 – Technical and Application Part

Hints and tips: Application of Technology Development

This is very strongly linked to the objectives and the requirements (in particular the user requirements).

1. Who will use the technology developed?
2. What will they use it for?
3. Why is it needed?
4. What are the competing technologies/ methods?
5. Why could this be better?
6. Is there a valid business case for continuing after this activity?
7. Does it match the programmatic constraints of the call?

If you don't know the answers to all these and can't convince us then why should we finance the development? Think about a preparatory activity.

9. Proposal Template
Part 1 – Technical and Application Part

1.7   TECHNICAL IMPLEMENTATION / PROGRAMME OF WORK

1.7.1 <u>Proposed Work Logic</u>
[Insert a flow chart showing the logical flow of work from step to step, with reviews, dependencies and iteration loops (as required). Note that this shall be consistent with section 1.4, the WBS and the schedule]

1.7.2 <u>Contents of the proposed work</u>

1.7.2.1   <u>Work Breakdown Structure (WBS)</u>
[For the total scope of the activity; clearly showing each foreseen Work Package (WP) with its title and the name of the responsible company/institute. Ensure work packages are split adequately such that sub-contracted work has its own work packages. Main contractor and subcontractor project management activities shall be identified in the WBS]

9. Proposal Template
Part 1 – Technical and Application Part

1.7 TECHNICAL IMPLEMENTATION / PROGRAMME OF WORK

1.7.2.2 Work Package Description (WPD)

[Individual WPD shall be established per work package identified in the WBS, describing the following:
- responsible company
- beginning and end date of each work package (e.g.: To+1, etc)
- person responsible for the work package
- description of the activities in the work package, sufficient to understand clearly the scope and depth of the work being performed.
- inputs to the work package
- outputs of the work package
- the outputs to the work packages are to be identified (e.g. TN1 etc.) and shall be included in the List of Deliverables.

With respect to the standard requirements for management, reporting, meetings and deliverables (Appendix 1 to the Draft Contract), please include a dedicated work package for Management and Reporting. All management tasks, such as meetings, progress reports and final documentation shall be carried out under this work package.

For reference see ESA PSS-A20 form, available at http://emits.sso.esa.int/emits/owa/emits.main under Reference Documentation / Administrative Documents / PSS Forms / Issue 5.]

9. Proposal Template
Part 1 – Technical and Application Part

> **Hints and tips: Flowchart**

The Flowchart is intended to show the order in which the work needs to be performed (i.e. the logic) and the checks and balances put in place, i.e. work flow, dependencies, reviews (internal/ external)

Should relate directly to the Work Breakdown Structure (WBS), Milestones and GANTT chart.
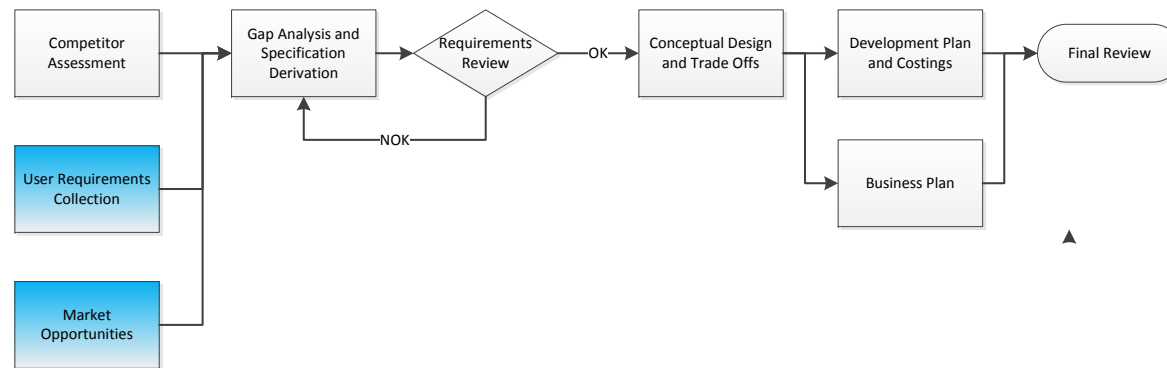
9. Proposal Template
Part 1 – Technical and Application Part

Hints and tips: WBS

WBS is a management tool to assist the effective definition, monitoring, payment and running of the activity.

Guidelines

1. Logically structure the main Work Packages following the main tasks of the work flow (preferably 'gated' by reviews)
2. Include WP for management
3. Ensure each company has separate (sub)work packages
4. Ensure all tasks in one work package 'belong together'

Examples – BAD, OK, GOOD
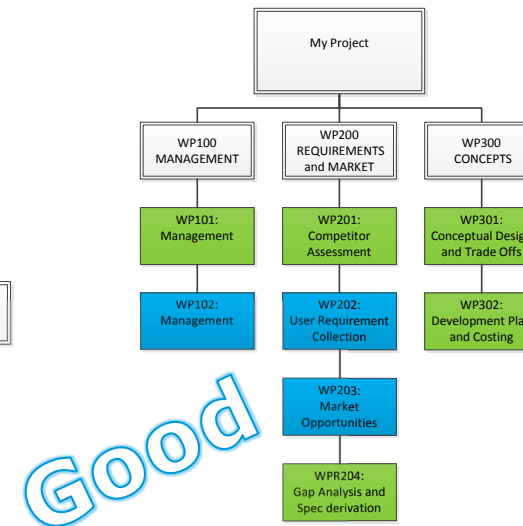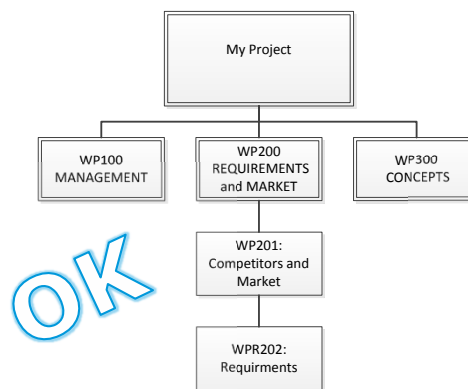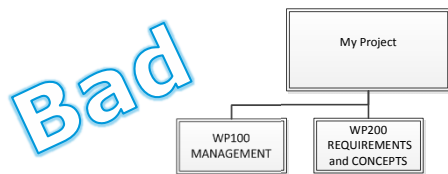
9. Proposal Template
Part 1 – Technical and Application Part

> **Hints and tips: Work Package Descriptions**

1. Essential Data:
   a. Work Package (WP) Title, WP Manager, Company
   b. Start and end dates (T0+) and/or EVENT (PDR, CDR)
   c. Inputs
   d. Description of work (e.g.: tasks and sub-task)
   e. Outputs (each WP will result in a number of technical documents, for example output of WP1 (task 1.1 and task 1.2), there will be TN1.1 and TN1.2

2. TIPS:
   a. WP Manager should be responsible for the work (e.g. have suitable experience)
   b. Duration (Start: T0 + 1, End: T0 +5).
   c. Describe work (bullets) at sufficient detail to understand level of analysis performed, work flow within the WP, reviews to be held etc. Avoid generic ambiguous high level descriptions (e.g. 'Perform design')
   d. Outputs are all deliverables produced, ensure consistency with Deliverables list and deliverable identifiers.

9. Proposal Template
Part 1 – Technical and Application Part

esa

Hints and tips: Work Package Descriptions – Examples

WP 1100

WP Title: Management Phase 1
Company: My Big Coffee Co.
WP Manager: C.Puccinno

Start Event: Kick Off Meeting (KOM)   Planned Date: T0
End Event: Final Presentation   Planned Date: T0+14M

Inputs: Proposal, KOM Minutes

Tasks:
- Organization of meetings and reviews
- Weekly team meetings
- Monthly progress meetings with sub-contractors
- Produce Progress Reports for ESA
- Schedule update using Microsoft Project
- Identify schedule slippage and instigate mitigation actions
- Quality control of deliverables prior to delivery
- Monitoring and control of actions and action item list
- Evaluation of risks and management of mitigating actions
- Cost monitoring and CCN handling (as required)
- Production of Final Technical Data Package
- Final Presentation

Outputs: Progress reports (D1.1), Final Report (D1.2), Contract Closure
Documentation (D1.3)

Good

WP 1100

WP Title: Management

WP Manager: A.Nonymous

Start Event: Start of project   Planned Date: 1st April 2017
End Event: End of project   Planned Date: 25th Dec 2018

Inputs: None

Tasks:
- Manage the project
- Control the team
- Write reports
- Produce final documents
- Support some technical work
- Participate in meetings

Outputs: Management documentation, final deliverables

Bad

9. Proposal Template
Part 1 – Technical and Application Part

1.8   BACKGROUND OF THE COMPANY(IES)
[Present an overview of the company addressing the number of personnel; the year in which the company was established; location of sites; and
Briefly describe the directly relevant experience for the Contractor and Sub-contractor(s), if any, for the performance of such a work (the Tenderer may submit additional information on the general background of the entities beyond the 25 pages with Annexes)]

1.9   FACILITIES
[Identify the facilities (including s/w tools) required to perform the proposed work. Submit a brief description of the intended facilities to be used, making it clear how the rights to use those facilities has been secured for this activity (e.g. own facilities, to be bought, to be constructed, sub-contracted, rented...). (the Tenderer may submit additional information on the entities facilities beyond the 25 pages with Annexes)].

9. Proposal Template
Part 1 – Technical and Application Part

Hints and tips: Background and Experience

We are only interested in DIRECTLY RELEVANT background and experience.

Silly Example:
1. **Directly relevant** experience for a Coffee maker: Having made coffee before for themselves or having made multiple types of coffee in a café
2. Partially relevant experience for a Coffee maker: Having made other (non-coffee) hot beverages, having worked in a café where coffee was made, but not actually making the coffee.
3. Non-relevant experience for a Coffee maker: Cleaning the café, playing football, driving a car

Do not waste space in the proposal with non-relevant experience.
Relevant patents, papers or publications could be included in Annex(es) (not counted for the page limit).

If the people or bidding team is missing key background, experience or knowledge – **identify this yourself and explain how you will get it**.

9. Proposal Template
Part 1 – Technical and Application Part

Hints and tips: Facilities

Facilities are the things needed **in order to complete the work proposed**. You need to identify *what you need* for the proposed work and *whether you have it*, or *how you gain access* to it.

1.   Example Facilities
    1.   Test equipment
    2.   Specialist design and analysis software
    3.   Specialist computing facilities
    4.   Specialist manufacturing facilities

2.   Examples of things **NOT** considered Facilities:
    1.   Your building and address
    2.   Your car park
    3.   Your desks and office furniture
    4.   Standard computers, office s/w and printers

9. Proposal Template
Part 1 – Technical and Application Part

Coffee Shop Example – 'Bad'

Sooper Dooper Coffee Co. has a shop with chairs and tables, we have toilets for customers, a cash desk, brush and several mops. We will need to buy more coffee cups and change the cash desk software.

Coffee Shop Example – 'Good'

Sooper Dooper Coffee Co. has a coffee shop and all facilities and infrastructure to supports its nominal operation. For this activity, use of some specific facilities will be needed:

- Coffee consistency analyser (WP3): Will be procured under this activity as it is needed continuously.
- High pressure burst tester (WP2): Will be rented from 'Pressure test Co.' as required, it is only expected to be needed once.
- Super Nozzle Cleaner (WP4): Will be designed and manufactured as part of this activity
- Coffee CAD Development Software (WP2): We already have 2 full licences.

9. Proposal Template
Part 2 – Management Part

2.1   TEAM ORGANISATION AND PERSONNEL

2.1.1 <u>Proposed team</u>

2.1.1.1   <u>Overall team composition, key personnel</u>
[Provide an organigram that describes the overall team composition, including participants from all Sub-contractors, if any, and including all key (i.e. having a major role within the team and/or being responsible for one or more WPs, see note here-under) and non-key personnel. The organigram shall clearly show reporting lines, the tasks, position, authority and name of the persons proposed for the work, and in particular the study/project manager and the contracts officer.]

NOTE: A "key person" is a person, who substantially contributes, in terms of effort and knowledge, to the work carried out under a Contract and who is explicitly nominated to perform such duties. Key persons are individuals with a certain degree of seniority whose knowledge, reputation, and/or skills in the relevant areas or disciplines are critical to achieving the objectives of the Contract.

....

9. Proposal Template
Part 2 – Management Part

2.1.1.2   Reporting lines within the team

....

2.1.1.3   Position of each of the team members within his/her own company's (or institute's) structure

....

2.1.1.4   Time dedication of key personnel
[For each key personnel identified in 2.1.1.1 above, provide a summary of the hours dedicated to each WP as well as their time dedication (i.e. the percentage of their total working time to be dedicated to the envisaged Contract, in average over its total duration and relative to the single WPs on which they are to work)]

2.2   CURRICULA VITAE
[Concise CVs including the directly relevant information for the proposed activity for all key personnel and showing that all major elements of expertise needed are present in the team]

9. Proposal Template
Part 2 – Management Part

Hints and tips: Overall Team Organisation and Personnel

Provide an organigramme for the Project Team, this is intended to show the reporting lines and responsibility/delegation. It does not show who talks to whom on a daily basis.

- Each sub-contractor should have 1 formal contact point
- NO steering committees in ESA contracts – Project Manager (in discussion with ESA) is responsible for the direction, quality of work, decisions and timeliness.

Examples: Bad and Good
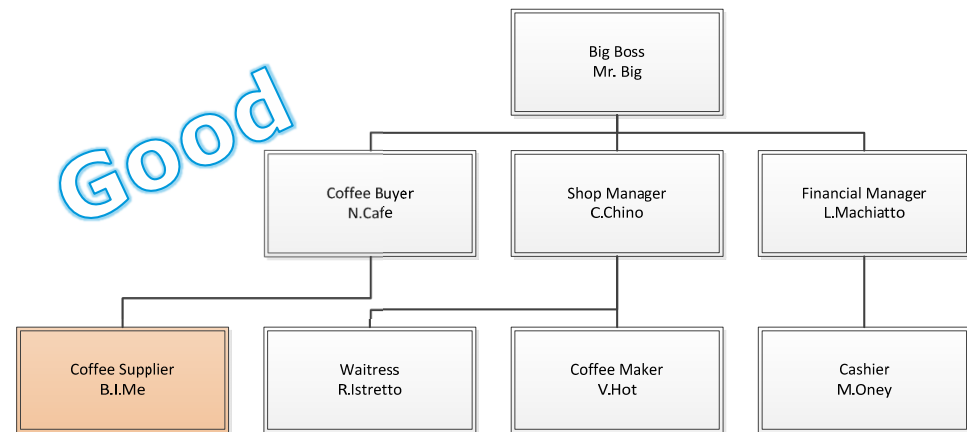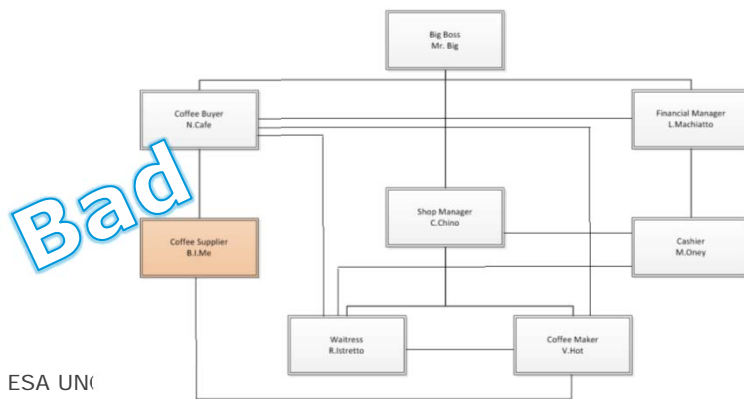
9. Proposal Template
Part 2 – Management Part

Hints and tips: Time Dedication of Key Personnel

A Key Personnel is someone playing a leading role in the activity OR providing irreplaceable experience and expertise.

1. Anyone contributing < <10% of their time is being used very inefficiently and is by definition not playing a leading role. (Unless due to unique expertise)

2. If someone is claimed to be a key personnel because they have irreplaceable experience and expertise – explain the role they play, what this is and how it will be exploited.

3. High numbers of claimed key Personnel does not make the proposal any better. Demonstrated good and effective use of people with the right background and with clear roles is better.

4. The percentage of the working time that each key personnel will dedicate to each Work-package (WP) shall be given. For the management task, if the consortium is not large, the percentage should not be higher than ~10%.

9. Proposal Template
Part 2 – Management Part

2.3   <u>MANAGEMENT PLAN</u>

[Present your management plan, policies and procedures for this activity including a discussion of the management control organisation (reporting, monitoring, scheduling), the procedure that will be used to exercise control over the project and the proposed subcontracting control (if any), and means for settling disagreements shall be described. Include also quality control aspects such as document management and approval, action item tracking, configuration control…. Indicate the authority of the project manager to timely obtain the needed project resources]

9. Proposal Template
Part 2 – Management Part

Hints and tips: Management Plan

Role of the management plan in the proposal is to give confidence that the activity will be kept on track, on schedule and on cost to lead to a successful conclusion, with every aspect under control and traceable for the entire duration.

Things to cover in a management plan:

   a) Team organisation - including roles and responsibilities of key   personnel and sub-contractors.
   b) How is technical progress monitored and controlled? (e.g. Progress reports and meetings)
   b) How are tasks given to people?
   c) How is schedule and cost controlled?
   d) How are actions traced?
   e) How are risks identified, traced, managed and controlled?
   f) What configuration and version control is done?
   g) How is the project status communicated to ESA and how often?

9. Proposal Template
Part 2 – Management Part

2.4   <u>PLANNING</u>

2.4.1.   <u>Gantt chart</u>
[Insert a Gantt chart schedule for the proposed activity, from the start of the activity until the end of the Contract. The Gantt Chart is to include all proposed Work Packages (WP), meetings, milestones, dependencies and highlight the critical path. The schedule from the start of the activity until the end of the contract shall, in principle, not exceed two (2) years unless duly justified. If the scope of the activity is software development then this must be delivered and the standard 6 months warranty period should be reflected in the Gantt chart. This might lead to a total period exceeding 2 years.]

2.4.2 <u>Proposed Schedule</u>
[Provide a synthetic summary of the schedule including duration, planning assumptions (e.g. envisaged start date, holidays etc.) and identifying and explaining key planning drivers and dependencies]

2.4.3 <u>Meeting and Travel Plan</u>
[Complete the table below showing all planned meetings and travels required in the execution of the work. This should be consistent with the cost given in PSS A2, Exhibit B and shall include not only meetings with the Agency but also meetings with sub-contractors involving travel, field trips, travels to test houses etc.]

9. Proposal Template
Part 2 – Management Part

Hints and tips: Planning – GANTT Chart

The GANTT chart shows you can organise your work, provides a tool to monitor the work, to communicate key dates and to *show what drives the schedule*. It shows you understand the work involved in what you are proposing.

Some tips for GANTT charts:
1. It should link clearly to WBS and Flow Chart
2. It should show milestones, reviews and **key** deliverables
3. It should show the **key** dependencies between tasks
4. Include to a 'sensible' level (not too much, not too little)

Hints and tips: Planning – GANTT Chart (examples)

Good GANTT chart

9. Proposal Template
Part 2 – Management Part

Hints and tips: Planning – GANTT Chart (examples)

Bad GANTT chart

ID	Task Mod	Task Name	25 Jan '16	01 Feb '16	08 Feb '16	15 Feb '16	22 Feb '16	29 Feb '16	07 Mar '16	14 Mar '16	21 Mar '16	28 Ma
1		WP1 Management										
2		WP2 Requirement Definition										
3		WP3 Conceptual Design										
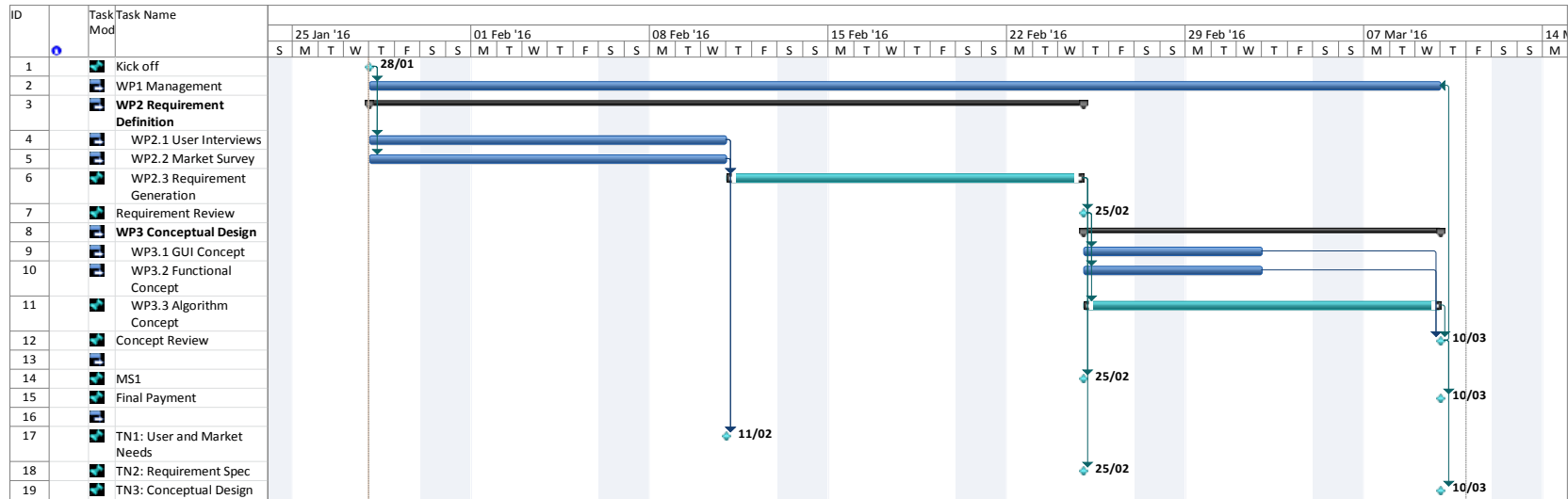
9. Proposal Template
Part 2 – Management Part

Hints and tips: Meeting and Travel Plan

What to include:
- All meetings with ESA (e.g. progress meetings)
- All reviews, both internal and with ESA (e.g. Requirements Reviews, Design Review….)
- All meetings with sub-contractors or potential customers (e.g. progress meetings, working meetings, requirement definition meetings)
- All travels to facilities (e.g. Test houses, Ground truth measurement areas)
- Final Presentation

Other information to include
- Location (should be most relevant location)
- Purpose of meeting (should be clear and obvious)
- Number of attendees

What **NOT** to include
- Any meeting or travel not DIRECTLY needed for progression of the activity
- Ad-hoc meetings to resolve problems (e.g. supply problems)

9. Proposal Template
Part 2 – Management Part

2.5   <u>DELIVERABLE ITEMS</u>

[A list of foreseen deliverables shall be included. The List of Deliverable Items shall be grouped in Documentation, Hardware and Software and shall include sufficient explanation to unambiguously represent the scope of the deliverable.

For Documentation, the proposal shall indicate, a) list of technical notes b) list of the final deliverables as defined in the Table here-below.

For Software, the proposal shall indicate, if applicable, a) whether the software will be delivered in **object and/or source code**, b) the format of delivery, c) if any licenses/Third Party licenses will be delivered to ESA]

Note that the TDP, FR, FP and CCD are mandatory deliverables for all activities

2.5.1 <u>Documentation</u>

[For each of the deliverable documents proposed by the Tenderer, a description, in the form of a bullet list of the main contents shall be added. This shall be sufficient to understand the contents, scope and depth of the envisaged document or report]

> **Note:** The outputs to the Work Package Descriptions shall be included in the List of Deliverables

9. Proposal Template
Part 2 – Management Part

> **Hints and tips: Deliverables**

- Deliverables / Technical notes are everything that is delivered to ESA as part of the contract. Deliverables can be Documents, Hardware or Software
- All deliverables should be uniquely specified (e.g.: TN1, TN2.1, TN2.2, etc)
- It is good practice to also include a description or short contents list to clarify the scope.

ID	Title	Review	Type	Description
TN1	Trade-Off Report	TOR	Doc	ID of key trade offs, trade-off factors, selection and justification
TN2	Design Description	PDR	Doc	Functional design, operational r... materials list, s/w description, l...
TN3	Design Justification File	PDR	Doc	Thermal analysis, mechanical a... modes analysis, reliability analy...
H1	Breadboard	FR	H/W	Full electrical BB in non-represe... components.
S1	Prototype S/W V1	FR	S/W	Full source code in Visual C++ ... executable for Windows v10.

Good

Title	Date
Design documentation	1st April
Final Documentation	4th July
Hardware	5th November
Breadboard	25th December
Prototype S/W V1	1st Jan 2017

Bad

Examples of good and bad deliverable lists

9. Proposal Template
Part 3 – Financial Part

Image of first half page

PART 3 FINANCIAL PART

3.1 PRICE QUOTATION FOR THE CONTEMPLATED CONTRACT:
[Enter here the total amount quoted as a Firm Fixed Price (FFP), in Euro, delivery duty paid, exclusive of import duties and value added taxes in ESA Member States, etc., in pursuance of the pricing conditions fixed in the "Draft Contract" included in the ITT]

Remarks concerning certain price elements:

a) Charging of royalties and licence fees:
   ESA will only accept to pay royalties or licence fees on the condition that they are:
   - *clearly identified in the tender, with the financial basis for their calculation, method of application and total amount, and*
   - *demonstrated to be of direct and necessary benefit to the work to be performed (thus not merely the consequence of a general agreement or commitment to a Third Party), and*
   - *applied only to that part of the effort to be performed by a Contractor or Sub-contractor that is directly related to the subject matter of the licence or royalty agreement.*

b) Quotations free of taxes and custom duties:
   Prices shall be quoted free of any value added taxes (VAT) and import duties in the Agency's Member States. In this connection you shall pay attention to the provisions stated in Article 3 of the Draft Contract (Appendix 1 to the ITT). In case you consider that you and/or your Sub-

9. Proposal Template
Part 3 – Financial Part

3.1   PRICE QUOTATION FOR THE CONTEMPLATED CONTRACT:
[Enter here the total amount quoted as a Firm Fixed Price (FFP), in Euro, delivery duty paid, exclusive of import duties and value added taxes in ESA Member States, etc., in pursuance of the pricing conditions fixed in the "Draft Contract" included in the ITT]

Remarks concerning certain price elements:

a) Charging of royalties and license fees:
ESA will only accept to pay royalties or license fees on the condition that they are:
- clearly identified in the tender, with the financial basis for their calculation, method of application and total amount, and
- demonstrated to be of direct and necessary benefit to the work to be performed (thus not merely the consequence of a general agreement or commitment to a Third Party), and
- applied only to that part of the effort to be performed by a Contractor or Sub-contractor that is directly related to the subject matter of the license or royalty agreement.

9. Proposal Template
Part 3 – Financial Part

(cont.)

3.1   PRICE QUOTATION FOR THE CONTEMPLATED CONTRACT:

Remarks concerning certain price elements:

b)   Quotations free of taxes and custom duties:
Prices shall be quoted free of any value added taxes (VAT) and import duties in the Agency's Member States. In this connection you shall pay attention to the provisions stated in Article 3 of the Draft Contract (Appendix 1 to the ITT). In case you consider that you and/or your Sub-contractor(s) will remain subject to payment of taxes or custom duties, you shall indicate separately the applicable rates, the corresponding estimated amounts, and the reason why exemption from such taxes or duties cannot be obtained.

c)   Currency and conversion rate:
For any Tenderer or proposed Sub-contractor located in countries outside of the Euro zone, the exchange rate used to quote their prices in Euro shall be indicated by the company (or institute) in its costing form PSS-A2. Any other factors (such as hedging costs, forward buying rates) used for the purpose of the calculations shall also be indicated]

9. Proposal Template
Part 3 – Financial Part

> **Hints and tips: Price Quotation**

1. The price of the Contract will be a **Firm Fixed Price without VAT**.

The EU provides International Organisations the privilege to be exempted from VAT for intra-community transactions. ESA, as an International Organisation, is classified as non-taxable. ESA applies this privilege by issuing a VAT EXEMPTION CERTIFICATE for its contract. ESA does therefore not have a EU VAT-ID number

=> The VAT Exemption certificate will be provided with the contract.

❖ **The Prime Contractor is the only one receiving the VAT EXEMPTION CERTIFICATE** as it is the supplier in direct contractual relationship with ESA. It is the Prime Contractor to invoice ESA directly.

❖ Sub-contractors will not receive the VAT EXCEMPTION CERTIFICATE as they do not stand in a direct contractual relationship with ESA; they are paid by the Prime.

9. Proposal Template
Part 3 – Financial Part

Hints and tips: Price Quotation

2. **The price of the proposed activity must be transparent, clear and credible.**

✓ **TRANSPARENT:** ESA must know how the money will be spent (e.g: the cost structure, etc.)

✓ **CLEAR:** Level of details is important => PSS forms

✓ **CREDIBLE:** ESA will assess if the cost is adequate to achieve the objectives of the proposed activity.

❖ After the contract is signed by both party, ESA does not require financial reporting on the evolution of the spending.

❖ All financial details are set in the proposal & at negotiation. The proposal and the minutes of meeting will be part of "the rules of the game" together with the Contract for the all duration of the contract.

❖ The financial envelopes given per category in the ITT are CEILING limits – they are NOT goals. Price must be fair and reasonable for the scope of work described in the proposal (e.g. WPD)

9. Proposal Template
Part 3 – Financial Part

3.2 <u>DETAILED PRICE BREAKDOWN</u>

3.2.1 PSS costing forms:

[On the basis of the corresponding instructions to each form, complete and insert in your Proposal the costing form(s) requested below):

- PSS A1 Company Cost Rates and Overheads
- PSS A2 Company Price Breakdown Form
- PSS A2 Exhibit A – Other Cost Element Details (if applicable)
- PSS A2 Exhibit B – Travel and subsistence plan
- PSS A8 Manpower & Price Summary per WP
- PSS A15.1 Company Price Projection vs Payment Plan

Note that the PSS form templates can be downloaded from EMITS at http://emits.sso.esa.int/emits/owa/emits.main under Reference Documentation / Administrative Documents / PSS Forms / Issue 5.

The profit shall not exceed eight percent (8%) of the base cost defined in item no. 9 of PSS A2 form, issue 5 ("Company Price Breakdown Form").

In case of participation of Sub-contractor(s) in the contemplated Contract, each Sub-contractor shall fill in the same forms with respect to its share of the activity and the Tenderer shall fill in forms corresponding to its own share and to the total.

Any PSS forms including those concerning your Sub-contractor(s) are to be signed by the authorised representative of the company (or institute) concerned]

9. Proposal Template
Part 3 – Financial Part

PLEASE NOTE!

All fields in National Currency and in EURO must be filled in. Please do not forget to fill in the exchange rate.

For non-profit organisations, no profit can be accepted. For other organisations, the profit shall not exceed 8% of the Total Company Cost shown on line 8, which excludes the base value of 3.5b. Subcontractor prices are not considered to be own company cost and, being already inclusive of profit, are shown on line 13 of the PSS A2 (Issue 5).

Final presentation shall take place at the Agency's premises. The cost of attendance/participation to conferences can only be covered if it is directly pertinent to the work being proposed, and shall be justified.

Overheads on procurements and labour rates are intended to cover admin costs and **general office supplies and overheads.**

9. Proposal Template
Part 3 – Financial Part

3.2.2 Milestone Payment Plan

[Provide a Milestone Payment Plan using the table here below, taking into account Article 4 of the Draft Contract. All claims for payment, except the advance, shall be linked to the achievement of defined schedule milestones with tangible deliverables including as the case may be, achieved performance of service. Examples of such milestones are the satisfactory completion of WPs and delivery of the related output]

Note:
- under EXPRO/EXPRO+ no direct payments by ESA to Sub-contractors are foreseen
- the payment plan shall be financially neutral as reflected in PSS A15.1

Milestone (MS) Description	Schedule Date	Payments from ESA to (Prime) Contractor (in Euro)	Country (ISO code)
Progress (MS 1): Upon successful completion of WP xxx and/or successful [review] and acceptance of all related deliverable items.	To + ... months		
Progress (MS 2): Upon successful completion of WP xxx and/or successful [review] and acceptance of all related deliverable items.	To + ... months		
Final Settlement [1] (MS 3): Upon the Agency's [OPTION] provisional acceptance of software and [END OPTION] acceptance of all deliverable items due under the Contract and the Contractor's fulfilment of all other contractual obligations including submission of the Contract Closure Documentation	To + ... months	*(not less than 15% of the total contract price)*	
[OPTION] Final Settlement [2] (MS4)] Upon final acceptance of software and successful completion of the 6 month warranty period	To + ... months	*(not less than 5% of the total contract price)*	
TOTAL			

9. Proposal Template
Part 3 – Financial Part

[An advance payment is not granted automatically, it is required to demonstrate a significant need for cash disbursement at the beginning of the execution of the Contract]

Note: The advance payment constitutes a debt of the Contractor to the Agency until it has been offset against a subsequent milestone.

Prime (P)	Company Name	ESA Entity Code (at contract signature)	Country (ISO code)	Advance Payment (in Euro)	Offset against	Offset by Euro	Condition for release of the Advance Payment
P				*Amount (not more than 35% of the total contract price for SMEs and not more than 10% for non-SMEs)*	MS .... *[insert milestone]*	Amount	Upon signature of the Contract by both Parties

9. Proposal Template
Part 3 – Financial Part

[You are requested to indicate below for information purposes only, the Milestone Payment Plan that is envisaged for Sub-contractor(s)]

For Information purposes only : Amounts in Euro for Contractor and Subcontractor(s)							
Prime Contractor	*Insert Country (ISO code)*	**Sub-contractor A**	*Insert Country (ISO code)*	**Sub-contractor B**	*Insert Country (ISO code)*	**Sub-contractor C**	*Insert Country (ISO code)*

9. Proposal Template
Part 3 – Financial Part

PLEASE NOTE!

- All claims for payment shall be linked to the **achievement of defined schedule milestones**. These milestones are to be in the form of significant events in the programme to be selected on the basis of providing a check point for progress in the work performed. E.G.
  - Successful completion of Reviews
  - Acceptance of deliverables

- <u>**Progress reports are not sufficient to make payments**</u>

- **Advance payments** to be made after contract signature, may be agreed in line with:

  - The Advance payment **constitutes a debt of the Contractor to the Agency** until it has been set-off against a subsequent milestone. The advance payment shall nominally be set-off against the 1st progress payment.
  - **An advance payment is not granted automatically**; a significant need for cash at the beginning of the contract must be demonstrated.
  - Advance payments for SMEs may be increased to a maximum of 35% of the contract price, if justified. SMEs are classified according to the criteria of the European Commission (Recommendation 2003/361/EC of 6 May 2003 (OJ L 124, 20.5.2003, p. 36)).

- **The final payment milestone** shall not be less than **15% of the contract price**. For software deliverables **5% of the contract price** will be due after expiry of the 6 months warranty period.

9. Proposal Template
Part 3 – Financial Part

3.3   COST TO COMPLETION
[A cost to completion is not required for Preparatory Activities. A cost to completion is required for all other activities with a completion TRL of 6 or less. This information is provided for information only and is not binding in any way for either party (ESA or Tenderer)]

3.3.1 Further steps/ Activities needed to complete the development
[Identify each of the main development steps / activities that would be needed AFTER COMPLETION OF THIS ACTIVITY to progress the work to higher TRL - if applicable]

Step 1: Functional Demonstration
Goal: Demonstration of all functionality via test on Engineering Model
Key aspects: Completion of design and analyses work, manufacture and test of EM
Start TRL: 4
End TRL: 5

Step 2: Qualification
...]

9. Proposal Template
Part 3 – Financial Part

3.3.2 Estimated Cost per step

[Provide a rough estimate of the expected cost of each further step or activity that would be needed in order to reach higher TRL (two levels above the final TRL achieved during the proposed work) – if applicable]

Further Step/ Activity	Estimated cost (Euro)	Estimated Start date	Estimated end date

9. Proposal Template
Part 4 – Contract Conditions Part

PART 4 CONTRACT CONDITIONS PART :

4.1 INTELLECTUAL PROPERTY RIGHTS

4.1.1. Background Intellectual Property

[BACKGROUND IPR: SELECT **ONE** OF THE TWO OPTIONS]

[OPTION1: FOR DRAFT CONTRACT 6.3.2 OPTION1 ONLY]
[If you intend to use for this activity, your own or Third Party intellectual property rights (IPR), you have to identify them with their IPR status at the time planned for the execution of the proposed activity and to specify with the name of the owner, that you are entitled to get the appropriate licence within your price quotation for the Contract, for their access and use for the performance of this contract and in accordance with the Draft Contract conditions.
Please, fill in the table below indicating the items covered by Background Intellectual Property (BIP) which are proposed to be used for the present activity].

Exact name of BIPR Item	Owner	Description	Patent # or Ref. / Issue / Revision / Version #	Contract / Funding Details under which the IPR was created	Date of creation of the version of the BIP listed here	Licence	Affected deliverable with comments	Protected Format (Y/N)

9. Proposal Template
Part 4 – Contract Conditions Part

4.1   INTELLECTUAL PROPERTY RIGHTS

4.1.1. Background Intellectual Property

[BACKGROUND IPR: SELECT ONE OF THE TWO OPTIONS]

[OPTION1: FOR DRAFT CONTRACT 6.3.2 OPTION1 ONLY]
[If you intend to use for this activity, your own or Third Party intellectual property rights (IPR), you have to identify them with their IPR status at the time planned for the execution of the proposed activity and to specify with the name of the owner, that you are entitled to get the appropriate licence within your price quotation for the Contract, for their access and use for the performance of this contract and in accordance with the Draft Contract conditions.
Please, fill in the table below indicating the items covered by Background Intellectual Property (BIP) which are proposed to be used for the present activity].

Exact name of BIPR Item	Owner	Description	Patent # or Ref. / Issue / Revision / Version #	Contract / Funding Details under which the IPR was created	Date of creation of the version of the BIP listed here	Licence	Affected deliverable with comments	Protected Format (Y/N)

[OPTION2: FOR DRAFT CONTRACT 6.3.2 OPTION2 ONLY]
In line with Article 6.3 of the Draft Contract, no Background Intellectual Property will be used to achieve the objectives of the work.

9. Proposal Template
Part 4 – Contract Conditions Part

(Cont.)

4.1   INTELLECTUAL PROPERTY RIGHTS

4.1.2 Foreground Intellectual Property
[Present the expected Intellectual Property that will be created as a result of the present activity and its ownership].

4.1.3 Ownership of Intellectual Property
[In the case of the participation of Sub-contractor(s), explain the agreement reached between the parties on the ownership of the Intellectual Property and the principles for its exploitation, use and benefits].

9. Proposal Template
Part 4 – Contract Conditions Part

> **Hints and tips: Intellectual Property Rights**

1. Background IPR
   a. Intellectual property existing already BEFORE the ITT.
   b. That is USED for the work of the ITT
   c. That had no ESA financial aid to develop.
   d. Must be listed, must be able to be evidenced (e.g. via patent, notebook or other means)
   e. Impact on the deliverables must be described
      – Which deliverables is it included in?
      – How does it affect that deliverable and ESA's rights?

2. Foreground IPR
   a. Intellectual property developed DURING the Activity
   b. IP shall remain vested in the company
   c. ESA shall also have rights
   d. It shall not affect the deliverables/ rights on the deliverables

9. Proposal Template
Part 4 – Contract Conditions Part

4.2   <u>IMPORT AND EXPORT LICENCES</u>

[This section is only to be completed in case of items or services that are subject to envisaged or probable inclusion of import/export restrictions, other than those from the Tenderer's own country, in either the body of the work performed under this activity or in a resulting product or service. For the purpose of this section, 'items' shall be taken to include EEE parts and materials, 'services' shall be taken to include testing and coating and such restrictions include, as example, US ITAR, Israeli Export Control etc.]

4.2.1 Import and Export Licences applicable to this Activity

[OPTION1]
The Tenderer declares that no items subject to import or export control will be used in the execution of this activity.

[OPTION2]
The Tenderer declares that the following items, subject to import or export control will be used in the execution of this activity:

Item	Control Type and Country of Origin	Deliverable affected	Comment

9. Proposal Template
Part 4 – Contract Conditions Part

(Cont.)

4.2   <u>IMPORT AND EXPORT LICENCES</u>

4.2.2 Import and Export Licences applicable to a product or services arising from or resulting from this Activity

[OPTION1]

The Tenderer declares that any products or services arising from or resulting from this activity will not be subject to import or export control or make use of any import/ export controlled items.

[OPTION2]

The Tenderer declares that the following items, subject to import or export control, are expected to be used in an end product or service eventually arising from or resulting from this activity.

Item	Control Type and Country of Origin	Deliverable affected	Comment

Thank you for your attention.

Questions?