

**FRONTEX OPEN TENDER: Frontex/OP/122/2013**

**“Purchase of aerial border surveillance service for the EU external land borders”**

**Clarification Document No. 2 - issued on 24.04.2013**

**Answers to the Requests for Clarification received from potential Tenderers**

**Question 14.**

Would Frontex consider any amendments to the supplied Draft Contract (Annex VI), or the addition of any additional Annexes that could address many of the very generic clauses of the contract?

**Answer 14.**

No amendments to the Draft Contract are foreseen, except for the areas which were left open in the Draft Contract for later completion. As regards additional annexes, if proposed, they would be evaluated if they would not be contradictory to the ToR and provisions of the Draft Contract. If such contradictions would not appear, then there is a possibility of acceptance of additional annexes to the prospective Contract by Frontex.

**Question 15.**

In the Q&A1 FINAL published on Frontex website, there was a question no.8 on the restriction of maximum take-off weight to 3000Kg, to which the provided answer stipulated: “The particular limit had been created in order to make the requirement less restrictive and at the same time to establish better ground for competition.”. We believe this particular limit does exactly the opposite than stated. As most of the aircraft types capable of executing all the requirements are between 3000 and 5700Kg, the maximum of 3000Kg eliminates most grounds of competition and restricts the market near to one aircraft type and company.

**Answer 15.**

One of the specific goals of the project is to check the capabilities of the economic operators to provide the requested service for aerial surveillance, description of the assignment - p. 1.2 of the TS. The aircraft shall be capable to carry on board the surveillance sensors as described in p.3 of the TS. The maximum take-off weight is based on the system description as included under p.3 and the technical requirements p.4.1 from the TS.