

Bidding Instructions and Administrative Requirements

TO : ALL BIDDERS

SUBJECT : REQUEST FOR PROPOSAL (RFP) FOR THE
PROVISION OF *RECEIVER-
TRANSMITTER,RADAR of P-3C*

RFP COLLECTIVE NUMBER : BLV24013

Dear Sir/Madam,

The NATO Support and Procurement Agency has a requirement for the inspection & repair of P-3C (Non Flight Safety Critical) as per attached "list of services".

You are invited to submit a proposal to provide to NSPA the services listed in this Request for Proposal (RFP). A firm fixed inspection price/firm fixed hourly labor repair price with spares reimbursable (alternative: firm fixed labor repair price with spares reimbursable)

Your proposal shall provide a detailed cost breakdown for the services listed in this RFP or any other justification to enable NSPA to determine whether the quoted prices are fair and reasonable.

TABLE 1 - SOLICITATION TIMELINES

A	RFP Issue:	<u>8 April 2024</u>
B	Bid Closing (please refer to time & date on the e-Procurement platform):	<u>13 May 2024</u>
C	Offer Validity:	<u>30 December 2024</u>

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IMPORTANT NOTE:
IN CASE YOU ARE NOT ABLE TO PROVIDE AN OFFER, YOU ARE KINDLY REQUESTED TO PROVIDE NSPA WITH NAME, ADDRESS, POC AND PHONE NUMBER OF A QUALIFIED SOURCE FOR THE PERFORMANCE OF THE SERVICE(S) IN THIS REQUEST FOR PROPOSAL.
Please advise the reason why you cannot provide the service(s).

1. REGISTRATION IN NSPA SOURCE FILE AND e-PROCUREMENT PLATFORM

Companies shall be registered in the NSPA Source File to participate in NSPA solicitations and to be considered for contract award. Furthermore, registration in the NSPA Source File is necessary in order to have a supplier account for the users indicated to access NSPA's e-Procurement platform. Questions related to the RFP and your proposal can only be submitted electronically through the e-Procurement platform.

Companies interested in participating in an NSPA solicitation and not yet registered in NSPA's Source File or, if registered, do not have an e-Procurement account, are encouraged to register online via the NSPA [website](#) at the earliest opportunity, as the vendor registration needs to be evaluated and validated before the company can receive its e-Procurement account. This latter process typically takes between one to three working days.

For information or assistance with Source File registration, please contact:
source-file@nspa.nato.int

2. BID SUBMISSION

Bids must be submitted through the e-Procurement platform by selecting "Bid on RFP" within the Request for Proposal (RFP) prior to the indicated Bid Closing date and time. This e-submission functionality is accessible exclusively from the supplier e-Procurement account, consequently, bidders will need to login and access the RFP page in order to be able to submit their bid.

Once the bid is submitted using the e-Procurement platform, it is automatically encrypted and transferred to an electronic vault, where it will be safeguarded until the Bid Closing date and time.

Upon RFP closure, the system retrieves the **last version of the bid submitted** for decryption, and subsequent release for evaluation by NSPA. Therefore, bidders wishing to modify their bids **before** the Bid Closing date and time **must submit their bid in its entirety, as this submission will override their previous ones.**

Bids submitted to NSPA through channels other than the e-Procurement platform will be disregarded and will not be evaluated. In the event that exceptional circumstances, as deemed by NSPA, justify the acceptance of a bid submitted outside the e-Procurement platform, the bid closing date and time must be respected.

Prospective bidders are expected to familiarise themselves with the functionalities and operational modalities of the e-Procurement platform. They are also advised to submit their bids sufficiently in advance so that any technical issue(s) may be resolved before the Bid Closing date and time.

In case of questions or issues when using the e-Procurement platform, the e-Procurement helpdesk is available by email at: e-procurement.helpdesk@nspa.nato.int, or by phone at: +352 3063 5629 (during NSPA-Capellen business hours: MON-THU 09.00-16.00; FRI 09.00-12.00, CET)

NSPA does not accept any responsibility for technical difficulties or issues accessing the eProcurement platform, particularly related to last minute bid submission or access to RFPs.

3. RFP QUESTIONS AND ANSWERS

Bidders are encouraged to read all the RFP documentation and seek clarifications on any unclear point(s) at the earliest opportunity. Consequently, the relevant question(s) shall be submitted via the e-Procurement platform, by accessing the RFP from the supplier account. The timeline for submission of questions is set forth in Table 1 above.

Bidders' questions and the respective answers will be published on the appropriate section of the RFP page with no identification of the originator.

Questions on the RFP content and terms shall be submitted exclusively through the e-Procurement platform. Bidders contacting NSPA staff directly in relation to an on-going RFP, other than for technical issues using the platform or registering in Source File, may be considered in breach of these Bidding Instructions and ultimately excluded from the solicitation.

4. CONSIDERATION OF ALL INFORMATION

Your proposal must be prepared after careful consideration of all information provided in this RFP. In order for your proposal to receive an accurate evaluation it must conform to the terms of this RFP. Non-conforming or incomplete proposals may be evaluated as being non-compliant and may be refused consideration for award of a contract.

All blank spaces in the attached exhibit: PROPOSAL FORM AND INSTRUCTIONS / GUIDANCE FOR PREPARATION OF PROPOSALS must be completed and the exhibit returned with your proposal.

The following documents are available on the Internet under:

<https://www.nspa.nato.int/business/procurement/general-information>

- NSPA General Provisions for Fixed-Price Contracts (Services)
- Termination for Convenience of NSPA
- NSPA Supplier Code of Conduct
- NSPA Materiel Inspection and Shipping Report (MISR) NSPA Form 194 with relevant distribution instructions.

5. CONTRACTOR'S RESPONSIBILITY

With the submission of a proposal, the bidder guarantees that they have read the [NSPA Supplier Code of Conduct](#) and acknowledges that this Code of Conduct provides the minimum standards expected to be adhered to by the bidder, their employees, subsidiary or affiliate entities and subcontractors.

Furthermore, the bidder guarantees that they are in possession of all the necessary intellectual property rights in force in the countries where the items will be manufactured and / or services will be performed, under the resulting contract and in other countries where the intellectual property rights are in force. It is the sole responsibility of the bidder to obtain any licenses necessary for the performance of this contract and for making any other arrangements required to protect NSPA from any liability for intellectual property rights infringement in said countries. The bidder shall at their own expense hold NSPA harmless and fully indemnify NSPA against all damages, costs, charges, expenses and the like arising from or incurred by any reason of any infringement or alleged infringement

of intellectual property rights in consequence of the provision of the service and / or materiel.

You will be solely responsible for the performance of the contract resulting from this RFP. The fact that NSPA allows to you subcontract or to call upon a third party for the performance of any part of the contract does not relieve you of your responsibility.

6. EMPLOYMENT OF FORMER NSPA STAFF

Any bidder who proposes to employ former NSPA staff member(s) in the performance of the resulting contract shall specifically identify the individual(s) and the position for which they will be hired. If NSPA determines that the former NSPA staff members will be employed in supporting a requirement for which they were personally and substantially involved while an NSPA employee, the bidder's proposal may be removed from further consideration for award. Failure to disclose such employment shall result in the immediate removal of the bidder's proposal from further consideration for award. This restriction shall be in effect for a period of two years after the former NSPA employee concludes their employment with the Agency, unless authorized in writing by the NSPA General Manager or their authorized representative.

7. BALANCING OF PRODUCTION

For contracts amounting to EUR 160,000.- or more, or equivalent in another NATO nation currency, NSPA takes into account a "balanced production" policy. Under this policy, when offers from firms of different participating NSPO member states are otherwise similar, contract award is made to that bidder whose country, at time of award, is poorly placed in terms of balance, provided that the offer does not exceed the lowest offer by more than a certain percentage (10 % or 20 % depending on the relative position of the countries in terms of balancing) and the bidder agrees to match such lowest offer. Relative positions of the countries in terms of production balancing are determined by using the ratio "R"; value of the contracts placed by NSPA in a country compared with the value of sales made to the same country. The three categories in the NSPA scale of balancing are well-placed, less well-placed and poorly-placed, the latter category having the lowest ratio.

8. BID EVALUATION

The criteria NSPA will use to select the successful bidder will be, by order of importance:

Preference will be given to proposals from OEM, OEM Authorized Service Center or OEM Repair Licensee.

- a. Responsiveness and compliance with the conditions of the RFP;
- b. Provision to NSPA (as part of the tender) of an acceptable complete TECHNICAL PROPOSAL (see Part A);
- c. The overall bid evaluation price that NSPA will use for price evaluation purposes will consist of the following formula per item:

Inspection firm fixed price per unit;

Plus

Repair firm fixed price per unit;

9. ALTERNATIVE PROPOSAL(S)

If you desire to submit an alternative proposal or to submit suggestions for the accomplishment of these services, you may do so in addition to the proposal submitted in response to this Request for Proposal. If the only offer that you submit is an alternative, you take the risk to be declared technically non-compliant. Your alternative proposal will **ONLY** be considered if your proposal submitted in response to this Request for Proposal is the lowest technically compliant offer.

10. AUTHORISED SIGNATURE

Your proposal must be signed by an official authorized to bind your firm to a contract. Proposals submitted in response to this RFP are binding offers and, on acceptance by NSPA, constitutes a binding contract.

11. VALIDITY

Your proposal shall be valid until the "Offer Validity" date indicated in Table 1 on the first page of this RFP.

12. LANGUAGE

The proposal must be submitted in English, as this is the language of this RFP and the resulting contract. Any document or information in the bid in a language other than English shall be accompanied by a courtesy translation. At the request of NSPA, the bidder shall provide at its cost sworn translation(s) of any document identified as having special relevance or with legal implications.

13. PRICES, CURRENCY AND PAYMENT

Prices will be quoted in the currency of any NATO Nation or the currency of the Partner Nation where, according to the geographical limitations of the RFP (set forth above in Paragraph 8), companies incorporated in such countries are allowed to participate. However, all the prices must be quoted in the same currency and this currency will be reflected in the resulting contract and used for payments made thereunder.

Comparison of the price quotations will be made in Euro; the exchange rates to be used for the purposes of such price comparison will be the rates that are published by the ECB – European Central Bank – and updated every first working day (Following ECB Calendar) of the week of the bid closing date.

NSPA payment terms are 30 days net upon receipt of Contractor's invoices duly documented as contractually provided for. Discount for early payment shall be indicated in your proposal.

NSPA payments will be made to the bank account provided by the Contractor at time of registration to the NSPA Source File or to the bank account identified by the Contractor at time of contract award. For companies incorporated in a NATO Nation, NSPA will only accept to make payments on an account in a bank located in a NATO Nation.

In case the contract is awarded to a company incorporated in a non-NATO nation (in accordance with the geographical limitations of the RFP set forth above in Paragraph 8) NSPA will accept to make payments on an account in a bank located in the country of the bidder.

14. NO NSPA COMMITMENT

This RFP is not a commitment that an award of contract will be made. NSPA reserves the right to reject any or all proposals partially or completely, stop the bidding procedure, postpone it to a later date or award a contract for any or part of the items solicited. NSPA shall bear no liability for costs or losses incurred by bidders in relation to their participation in the RFP process. Any claim from bidders against NSPA for a refund of expenditure or charges resulting from preparation and submission of the bid will not be accepted.

15. INFORMATION ON CONTRACT AWARD

If your proposal did not result in an award, you will be informed after award.

Upon receipt of the notification, if the value of your proposal exceeds EUR 320,000.-, you may request additional general information from the NSPA Point of Contact indicated in this RFP, as to the reasons why your company failed to win the competition.

Your company's name will remain in the NSPA Source File and will be considered for invitation for any future competitions in this field.

16. NSPO PROCUREMENT REGULATIONS / NSPA PROCUREMENT OPERATING INSTRUCTION

The NSPO Procurement Regulations and the NSPA Procurement Operating Instruction are available on NSPA's website under:

<https://www.nspa.nato.int/business/procurement/general-information>.

17. PUBLICATION OF CONTRACT AWARDS

In accordance with NSPO Procurement Regulations, NSPA periodically publishes the contract awards exceeding 80,000 EUR, indicating the contractor's name and country, as well as the purpose and total amount of the contract. This procedure will not apply to classified contracts or when the customer has stipulated that publication is not wanted.

This information is to be found on the NSPA website under:

<https://www.nspa.nato.int/business/procurement/bid-awards>

Enclosure(s):

- Exhibit: Proposal Form and Instruction/Guidance for Preparation of Proposals
- Terms and Conditions
- List of Services
- Statement of Work
- NSPA Security Aspect Letter and Security Requirements Check List

EXHIBIT: PROPOSAL FORM AND INSTRUCTION / GUIDANCE FOR PREPARATION OF PROPOSALS

NSPA has prepared this two-part proposal form PART A & PART B for the purpose of providing a standard format by which the bidders submit cost data and supporting information suitable for a detailed and accurate analysis and evaluation of their proposals.

Bidders are encouraged to use this form, however, if another format is used, bidders are requested to maintain the sequence and suitably index the proposal to enable rapid analysis by NSPA. This form must be completed and returned with your proposal.

PART A – TECHNICAL PROPOSAL / CAPABILITY AND QUALIFICATION FORM

This part when duly completed and supplemented with any information as deemed appropriate will constitute the bidder's Technical Proposal and contain all non-pricing details.

➤ **ANNEX A – Technical Proposal Form (EXCEL sheet to be completed)**

This part when duly completed and supplemented with any information as deemed appropriate will constitute the bidder's Technical Proposal and contain all non-pricing details that were not included in PART A.

PART B – COMMERCIAL PROPOSAL

This part when duly completed and supplemented with any information as deemed appropriate, will constitute the bidder's Price Proposal.

➤ **ANNEX B – Price Proposal Form (EXCEL sheet to be completed)**

This part when duly completed and supplemented with any information as deemed appropriate will constitute the bidder's Price Proposal.

➤ **MATRIX for each P/N (sheet to be completed)**

PART A – TECHNICAL PROPOSAL/CAPABILITY AND QUALIFICATION FORM

The information on your firm and capabilities should be submitted along the lines of the format provided below. The requirements are listed as either **Mandatory** or **Non-Mandatory** for completion.

Voluminous pre-printed brochures are not desired.

1. EXPERIENCE AND CAPABILITIES OF YOUR COMPANY IN SIMILAR TYPES OF SERVICES

The bidder shall provide a short description of the company's experience and capabilities in providing services as those requested in this RFP. **(Non-Mandatory)**

The bidder shall provide references and points of contact for customers serviced by similar contracts, if permissible. **(Non-Mandatory)**

The bidder shall identify any former NSPA Staff, which he proposes to employ on this contract as set out in paragraph 3.1. **(Mandatory)**

2. QUALITY**a. ISO certification (Mandatory)**

The bidder / his facility shall be certified against ISO 9001 or AS9110, or a standard including the requirements of ISO 9001. In the latter case he shall specify the standard. Bidder to provide a valid copy of the certification granted from an accredited body. The certification scope shall include all processes contributing to quality of the present contract.

b. AQAP Compliance (Mandatory)

Bidder to confirm he shall comply with the requirements of AQAP 2131.

c. Release to Service Certificate.

Bidder shall provide with each deliverable a "Release to service" certificate EASA "Form One" or FAR 145 or EMAR "Form 1" or TCCA AM 573 or military equivalent form (attached), issued by the entity performing the work, to document the airworthiness status of the items and certify the material is "ready to return to service".

Bidder to confirm: YES: NO:

Type of certificate proposed: _____ (Bidder to complete)

d. Bidder to confirm that he or his chosen subcontractor is either **(Mandatory)**:

- The OEM

YES / NO

- OEM Authorized Maintenance Center.

YES / NO (Bidder to provide evidence) If yes, bidder should provide Copy of the Certificate that reflects the maintenance authorization for the P/N under the scope of this Request for Proposal (RFP).

- Repair licensee by the OEM for this equipment;

YES / NO (Bidder to provide evidence) If yes, bidder should provide a copy of the OEM licensee or agreement that demonstrates the authorization for the P/N under the scope of this Request for Proposal (RFP).

- Certified EMAR 145 or equivalent, i.e. FAA 145 / EASA Part 145 / TCCA AM 573 or National Equivalent

YES / NO (Bidder to provide evidence) : If yes, bidder should provide Certificate with the schedule, ratings, limitations, and:

- Capability list associated to the certificate, duly approved by the appropriate Aviation Authority, which authorizes maintenance activities for the P/N under the scope of this Request for Proposal

Or

- Copy of the repair station's operations specifications/Procedure manual/ Maintenance Organization Exposition (M.O.E) duly approved by the appropriate Aviation Authority, clearly demonstrating the maintenance capability for the P/N under the scope of this Request for Proposal (RFP).

The certifications are an important element of the bidder proposal. The approved capability list or station's operations specifications/procedures manuals must clearly identify the approved maintenance authorization for those specific Part Numbers

described under the scope of this Request for Proposal (RFP). Refer to list of services attached to this RFP. The certification shall be valid for at least 1 year from the proposal submission date.

Please be informed that all the mandatory requirement documents MUST BE included in your bid and / or submitted by the Bid Closing Date. Should any of the mandatory documents be missing, NSPA reserves the right to consider your bid incomplete, therefore your proposal may not be considered for bid evaluation.

Please indicate the documents attached:

TYPE OF CERTIFICATION	YES/NO	DEMONSTRATE WITH EVIDENCE ATTACHMENT REFERENCE
OEM Authorized Maintenance Center		
Repair licensee by the OEM for this equipment;		
Certified EMAR 145 or equivalent		

- **Release to Service Certificate.**

Bidder shall provide with each deliverable a "Release to service" certificate EASA "Form One" or FAA Form 8130-3 or EMAR "Form 1" or military equivalent form, issued by the entity performing the work, to document the airworthiness status of the items and certify the material is "ready to return to service".

Bidder to confirm: YES: NO:

Type of certificate proposed: _____ (Bidder to complete)

3. FACILITIES WHERE SERVICES WILL BE PERFORMED (MANDATORY)

- a. Inspection of the components shall be performed at the Contractor's facility designated below:

- b. NSPA shall deliver the components to be repaired DAP (Delivered at Place – Incoterms 2020) to the following point of delivery as appropriate:

4. TECHNICAL DOCUMENTATION (MANDATORY)

- a. If Bidder is not the OEM, Bidder to confirm that he is in the distribution list of the OEM for the applicable technical documentation to perform the required work.

- b. Bidder to confirm that he is in possession of the latest applicable documentation per P/N and reference to perform the required work and to provide the appropriate reference(s) including latest revision date per P/N and reference according to which the component(s) will be serviced.

5. CONTRACT ADMINISTRATION (MANDATORY)

The names of the officials designated by the Contractor to administer this contract are:

Contractual matters:

Company name: _____

Address: _____

Attn: _____

Phone: _____

Fax: _____

email: _____

Technical matters:

Company name: _____

Address: _____

Attn: _____

Phone: _____

Fax: _____

email: _____

Part B - PRICE PROPOSAL**1. BIDDER TO CONFIRM ACCEPTANCE OF NSPA TERMS AND CONDITIONS (MANDATORY)**

☐ YES, the bidder **fully accepts** the terms and conditions provided in the draft Terms and Conditions, including NSPA General Provisions and Termination for Convenience of NSPA.

2. PRICES: (MANDATORY):

Please indicate your best prices in attached document entitled "List of services"

Please consider "Item" and "Line" n° as follows: 10 = 1, 20 = 2 etc.

3. PAYMENT TERMS (MANDATORY):

NSPA payment terms are 30 days net upon receipt of Contractor's invoices duly documented as contractually provided for.

Discount for early payment shall be indicated in your proposal, i.e.:

If payment is made within 20 days:% is granted **(bidder to indicate)**

If payment is made within 10 days:% is granted **(bidder to indicate)**

4. PROVISIONING OF REPAIR PARTS (MANDATORY):

Costs of direct materials and repair parts will be reimbursed as follows:

- manufactured by the Contractor: At production cost
- purchased by the Contractor: At acquisition price plus a handling charge of % **(bidder to indicate)**

Please note that where the handling activities referenced in the Terms and Conditions are not performed by the contractor for repair parts required by a subcontractor to perform the services, no handling fee is to be charged. Where a service is subcontracted but the Contractor remains performing the above referenced activities, inclusion of the handling charge may be authorized if fully justified by the Contractor and subject to prior approval by the responsible NSPA Contracting Authority.

5. VALIDITY(MANDATORY):

This price proposal, when associated with the TECHNICAL PROPOSAL, constitutes the bidder's tender against this RFP and is valid until the specified offer validity date.

NAME OF COMPANY: _____

NAME OF REPRESENTATIVE: _____

TITLE OF REPRESENTATIVE: _____

DATE OF PROPOSAL: _____

SIGNATURE: _____