ARTES 4.0 Technology & Product Developments

Full Proposal

Part 7

Contractual Proposal for the … Phase

Proposal title

Proposal Reference: reference number

Notes for the use of this template (to be removed from Full Proposal)

Material presented in this plain style must not be removed nor modified, unless stated otherwise by an explanatory note.

Parts highlighted in yellow are optional, depending on the scope of the proposal (please refer to the related explanatory notes to determine if they apply or not).

Text in red font must be modified and/or completed by the Tenderer for the proposed activity (this supplementary information should be presented in plain typeface, i.e. not red, in the final version of the Full Proposal).

This style is used for explanatory notes and guidance to help you to develop the Full Proposal content. They should be removed from the final document before submission.

A single Contractual Proposal shall be included covering all Development Phases for which support is being requested under the ARTES 4.0 Technology & Product Developments Call for Proposals.

Use of this Full Proposal Template is **mandatory**. The Tenderer shall not change the structure of this Full Proposal Template (i.e. the table of contents must remain unchanged) and adhere to its guidelines and requirements. However, the format and lay-out can be modified, e.g. to be in-line with the Tenderer’s corporate identity.

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# Compliance with the Contract Conditions

Tenderers are required to make use of the ‘smart contract’ tool. This tool consists of an Excel file where relevant contractual information can be inserted or options selected by the Tenderer. From the completed Excel table, a Word file of the draft contract can then be generated which incorporates the information provided. This updated draft contract is intended to provide the tenderer with a better understanding of the contract which would result from a successful tendering process. In case of successful evaluation, it will also expedite the completion of the contract on ESA side. The tool is also aimed at demonstrating full compliance with contractual provisions. In case, exceptionally, that contractual modifications or amendments are proposed, the full text of such modifications or amendments shall be given in this Section 1 and the reasons for requesting them shall be clearly explained.

Any proposed modifications or amendments to the Contract conditions will be taken into account in the evaluation.

* Please be aware that not all provisions of the contract can be modified using the excel file. Guidance on how to use the tool can be found here:

<https://emits.sso.esa.int/emits-doc/ESTEC/1-10167/Tutorial_Smart_Contract_Tenderer.pdf>

The smart contract tool can be found here:

<https://emits.sso.esa.int/emits-doc/ESTEC/1-10167/SmartContractTool.zip>

Please consult the "ReadMe" file first before completing the Tenderer section of the Excel table. Both the completed Excel table and the Word document generated as per the instructions in the "ReadMe" file should be included in the electronic version of your proposal. In case of successful evaluation and negotiation, the Agency will then need to complete the contract in the part of its competence and as relevant before releasing the contract for signature. Please note that, irrespective of whether you wish to make use of the new tool, the present document (Part 7 of the proposal template (Contractual Proposal)) shall be completed and submitted.

The completed Word and Excel files generated from the Smart Contract Tool are uploaded under the “Other” proposal element in esa-star.

The contract conditions have been read, are understood and accepted. No sales conditions of our own are applicable.

The Personal Data “Controller to Controller” (PDCC) Annex to the Contract has been read, are understood and accepted. It is understood that this Annex forms an integrated part of the Contract and that it will not be subject of separate signatures. Should the tender lead to a Contract award, the PDCC will enter into force upon signature of the Contract by both Parties.

# Insurance Waiver

A waiver of subrogation rights from our insurer will be available at the time of contract signature.

or

(delete the inapplicable paragraph)

A waiver of subrogation rights from our insurer will notbe available. The hold harmless agreement specified in Clause 18.1.6 of the General Clauses and Conditions for ESA Contracts shall apply.

# Statement Relating to Export/Import Licences/Authorisations and Related Documentation

There are no export or import restriction issues and thus no need to obtain specific licences or authorisations.

or

(delete the inapplicable paragraph)

Export or import restrictions and/or a need of adequate licences or authorisations exist, and the status regarding such requirements is at present the following:

* the Tenderer/Subcontractor … (name) has obtained the following authorisation(s) in order to submit this tender: ….

and/or

* the Tenderer/Subcontractor … (name) will need to obtain, prior to the placing of a Contract, the following authorisation(s): ....

and/or

* the Tenderer/Subcontractor … (name) will need to obtain the following authorisation(s) for the implementation of the contract: ....

# Use of ESA Technical Assets

It is not intended to make use of ESA Technical Assets.

or

(delete the inapplicable paragraph)

It is intended to make use of ESA Technical Assets in the Definition/Technology/Product/ Demonstration Phase(s).

The intended use of these assets is compatible with the technical, operational and strategic objectives of our proposal.

Further information is provided in Part 4 of our proposal on the intended use of these assets, including a description of the alternative facilities that will be used for the same purpose if the ESA technical assets cannot be made available for use in the project.

The commercial procurement of these alternative facilities is presented as a back-up option in Part 6 of our proposal for the Definition/Technology/Product/Demonstration Phase(s).