



The BACW's Bidding Commission hereby presents question made by companies with their respective answers.

**REMARK:** The questions presented in this "Questions and Answers" are numbered as they are answered by the Bidding Commission and may not match the numbering provided by the companies.

1. **Question:** Regarding item 4.3 of the Invitation for Bid Document: If a foreign company submits the proposal in consortium with a Brazilian company, the formation and registration of the consortium, if it wins the bid, must be in Brazil or be in the US?.

**Answer:** *Since the solicitation is being performed in the United States, the Consortium is not required to be executed in Brazil.*

2. **Question:** In such case, we understand that the BACW will only accept invoices from the consortium itself and will not accept invoices from the companies that form the consortium, is our understanding correct?

**Answer:** *The payments shall be addressed to the consortium with a specific bank account for the consortium. Payments shall not be performed to members of the consortium individually as the consortium is an entity on its own.*

3. **Question:** With regards to items 7.6 and 8.1.5 of the Invitation for Bid Document and item 7.6 of the Basic Project, the Brazilian company participating in the consortium, if defined as such in the Commitment for Consortium document, may be the legal and technical representative in Brazil for the consortium? So, will any other document be needed to address this specific item?

**Answer:** *The bidder may indicate a Brazilian company as legal and technical representative as per item 7.6 of the IFB being designated as such in the Consortium commitment, provided that the information on the key personnel is presented as well.*

4. **Question:** Could Technical Annexes to the Technical Proposal (Envelope N° 02) be provided in English language?

**Answer:** *All Technical documents can be provided in Portuguese or English language.*

5. **Question:** From Chrono program, 5 sessions are required for the Operational Assistance ADS-B, while, from a technical specification we understand that there are 6 sessions (such as the th / pr training sessions). Please clarify.

**Answer:** *Both documents contain 6 Operational Assistance for ADS-B System:*

*A) According to 21.3.8.2 item from Technical Specification there are 6 ADS-B Operational Assistance.*

*b) According to 21.3.8.3 item from Technical Specification there is 1 WAM Operational Assistance.*

*c) According to chronogram present in Annex III from Basic Project, there is 1 WAM Operational Assistance and 6 ADS-B Operational Assistance*

*Please pay attention that there is only one payment for the first and second Operational Assistance for the Fase I.*



6. **Question:** As per point 4.2 & 4.3 of doc 000.06.T03.PB.001.02 pag. 6, we understand that we must guarantee the indicated coverage. But it is not mandatory to use all of the 66 proposed sites. The technological solution is a choice of the proposer. It's correct?.

**Answer:** *According to 4.2 item from Technical Specifications, the 66 ADS-B sites must be used (is mandatory). According to 4.3 item from Technical Specifications the possible sites are in Annex VII. But, if necessary to guarantee the coverage, additional sites should be proposed by the bidder. Only the WAM solution is a choice of the proposer.*

7. **Question:** With reference to point 32.1 & 32.2 of Invitation for Bid section 32 “ Intellectual Property. Could you please confirm that the transfer of intellectual property rights is only closely related to the execution of this project and for the duration of this project? What do you mean when you say ... thus enabling the administration to use it in its own discretion, and in accordance with its needs? Please clarify.

**Answer:** *The CONTRACTED PARTY must grant COMAER copyright, intellectual property and ownership right only for the supply of this Bidding Process.*

8. **Question:** With reference to Req. 3.3.1 of the doc. 000.06.T03.PB.001.02, we understand that the delivery will be DAP (Delivery at Place) as per INCOTERMS 2010. Could you please confirm that the goods must be delivered DAP in the 66 planned sites?

**Answer:** *It is what is written on “note” from 3.3.1 item. DAP means Delivered At Place. So, the goods must be delivered in the 66 ADS-B Sites, in all WAM sites proposed, in all Centers involved (that can be CINDACTA 1/2/3/4), at APP Porto Alegre and CGTEC.*

Notwithstanding, In accordance with the Invitation For Bid item 33.1, *Any doubts arising from the provisions of this Invitation for Bid may be the subject of consultation, in writing, to the **Bidding Commission** in charge of this bidding process..*

Based on that, the BACW’s Bidding Commission reinforces that questions shall be submitted to [con@cabw.org](mailto:con@cabw.org) and no agents outside BACW should be copied in the e-mail. Thus, only answers published in BACW’s website are considered official and part of the solicitation file.

Furthermore, the Brazilian Aeronautical Commission appreciates the question, and stands available to clarify and explain any doubts or concerns in order to increase the BID quality. Any questions or concerns must be submitted to [con@cabw.org](mailto:con@cabw.org)

*Note: This information has been made available at BACW website in the publishing for the related Bidding Process.*  
<http://www.cabwnews.com/index.php/solicitations.html>