



MINISTRY OF DEFENSE
AERONAUTICAL COMMAND
BRAZILIAN AERONAUTICAL COMMISSION IN WASHINGTON

INVITATION FOR BID No. 220004/CABW/2022

FREQUENTLY ASKED QUESTIONS

Last Update on Mar 2nd, 2022.

REQUEST FOR CLARIFICATION #01

Question 1: Our company is interested in participating on the KCX3 bidding process. But reading the basic project we have found an inconsistency that we would like some clarification;

The total global price for the project is U\$80,628,800.00.

For that price, I assume both aircraft delivered as per Basic project, as per item 4 of the IFB.

The market for a 2014 aircraft today is about U\$70,000,000.00. (will reference some companies and contacts for verification)

Furthermore, on the basic project item 4.1.3, it requires a total cycle of 4200 upon delivery, this is not seen on aircrafts that are at least 2016 or 2017, making the market price of a single aircraft way above the global price for one.

On the Basic project, Item 3.2.8, and many more after that, it lists the serial numbers 555 and subsequent, with exceptions. Those, are aircrafts that can be modified to the desired MRTT project with only one bulletin, assuming that is the intention of the project.

Those serial numbers are for aircraft manufacturer after 2002 and not 2014. The Market Value for a 2002 A330-200, is about U\$35,000,000.00, making the project viable.

References:

<https://www.facebook.com/ICCJET/posts/fleet-used-new-airbus-boeing-for-saleairbus-a319-airbus-a320-airbus-a321-airbus-/472807902889924/>

<https://www.aicjetscorp.com/sales-listing/commercial-aircrafts>

<https://www.myairtrade.com/available/A330>

Answer: As per the Basic Project, "1.1.3 The OBJECT hereby specified consists of an indivisible lot with 02 (two) similar aircraft, standardized, according to the "sisterships" market concept, as established in item 9.6.3 of the Studies and Analysis of the Technical Specifications of the KC-Project X3 report, from EMAER, and summarized in item 4.3.1 of the RTLI of Project KC-X3, with a reference value of "1.1.4 The Maximum Acceptable value for supplying the Object of the Basic Project No. 01/CELOG/2022 is US\$ 80,628,800.00 (eighty million, six hundred and twenty-eight thousand, eight hundred US dollars).

Therefore, proposals with a value above the specified will not comply with the specification of the acquisition.

REQUEST FOR CLARIFICATION #02

Question 2.1.: We have a number of A330-300 assets available for this bid. However, it is noted the conversion to Military A330 MRTT type is currently for -200s only. Would A330-300 bids be considered in the evaluation process?

Answer: According to the technical specifications of the IFB, item 3.2.8 of annex 01 to BP nº 01/CELOG/2022 Aircraft Technical Specifications Rev 1, it is necessary that the bidder "Present the aircraft registration, proving that the aircraft is of the AIRBUS A330-200 model, MSN later than the 555, has a Rolls-Royce or General Electric engine, and is not MSN 567, 584, 597, 627, 635, 657 and 660."

Therefore, A330-300 aircraft, which are a different model to the A330-200, do not meet the requirement, as they cannot be converted to REVO.

Question 2.2.: We also have (x2) Airbus Defense and Space S.A.U. C-295M - Model Design: H - Humanitarian available for purchase/lease if requirements exist for the type?

Answer: We inform that the C-296M aircraft offered in the email are not part of the Object of this bidding.

REQUEST FOR CLARIFICATION #03

Question 3.1.: Would an offer for 1 A330-200 be accepted?

Answer: The object of the acquisition consists of an indivisible lot with 02 (two) similar aircraft, standardized, according to the "sistership" market concept, manufactured on a date after January 01, 2014. Therefore, any offer with only one aircraft will not comply with the specification of the acquisition.

Question 3.2.: Would an offer for 2 A330-200, being the first 2014 or younger and the second 2013? Both aircraft sisterships with communality and same engines.

Answer: The object of the acquisition consists of an indivisible lot with 02 (two) similar aircraft, standardized, according to the "sistership" market concept, manufactured on a date after January 01,

2014. Therefore, any offer with aircraft manufactured on a date before January 01, 2014 will not comply with the specification of the acquisition.

Question 3.3.: Is there an electronic way of sending the proposal or does it have to be sent by mail to BACW's address?

Answer: The price proposal and qualification documents MUST be sent by mail as instructed in our invitation for bid, *item 2 - Time, Date and Place for the Beginning of the Public Session*.

REQUEST FOR CLARIFICATION #04

Question 4 (PT): Conforme as disposições do edital de licitação 220004/CABW/2022 (destaque abaixo), que indica as recomendações contidas no MCA 176-1, gostaria de solicitar a disponibilização do conteúdo integral deste documento, pois não foi possível localizá-lo na internet.

Question 4 (EN): In accordance with the provisions of the Invitation for Bid No. 220004/CABW/2022 (highlighted below), which indicates the recommendations contained in the MCA 176-1, I would like to request the availability of the full content of this document, as it was not possible to locate it on the internet.

Answer (PT): Informamos que o manual MCA 176-1 é utilizado em âmbito interno no Comando da Aeronáutica, a fim de definir atribuições e competências entre as Organizações Militares componentes do Sistema de Comércio Exterior da Aeronáutica. O arquivo será disponibilizado na página da CABW, na seção de "downloads" abaixo da descrição do anúncio da licitação em tela.

Answer (EN): We inform you that the MCA 176-1 manual is used internally in the Air Force Command, in order to define attributions and competences between the Military Organizations that are part of the Air Force's Foreign Trade System. The file will be made available on the BACW's website, in the "downloads" section below the description of this Invitation for Bid announcement.

REQUEST FOR CLARIFICATION #05

Question 5 (PT): Não conseguimos localizar qual é o tipo de motor destas aeronaves A330 que são solicitados.

Question 5 (EN): We were unable to locate the engine type of these A330 aircraft that are requested.

Answer (PT): O modelo dos motores das aeronaves A330 estão vinculadas à capacidade de conversão da aeronave em A330 MRTT, conforme especificado no item "3.2.8 Aircraft must be able to receive an in-flight fuel transfer system (REVO) as a refueler", o qual requer que as aeronaves possuam as seguintes características: "Present the aircraft registration, proving that the aircraft is of the AIRBUS A330-200

model, MSN later than the 555, has a Rolls-Royce or General Electric engine, and is not MSN 567, 584, 597, 627, 635, 657 and 660”.

Com isso verifica-se que somente serão aceitas aeronaves com motorização Rolls-Royce ou General Electric. Importante ressaltar ainda que os motores devem cumprir com o previsto nos demais requisitos que os afetam, tais como o 3.2.3, 4.1.6.1, 4.1.7, 4.1.10, 4.1.11,4.1.12, 4.1.13P, 4.1.13S, 4.1.18A, 4.1.18B, 4.1.18C, 4.1.18D, 4.1.18E, 4.1.18F, 4.1.18G, 4.1.18H, 4.1.18I, 4.1.18J, 4.1.18K, 4.1.18L, 4.1.18M, 4.1.18N, 4.1.18O, 4.1.18Q, 4.1.18R, 4.1.18S, 4.1.18T, 4.1.18U, 4.1.18V, 4.1.1B, 4.3.3, 4.4.2, 4.4.2.1, 4.4.2.2, 4.4.2.3, 4.4.2.4, 4.4.2.5, 4.4.2.6, 4.4.2.7, dentre outros.

Answer (EN): The model of A330 aircraft engines are linked to the aircraft's ability to convert to A330 MRTT, as specified in ANNEX 01 TO THE BASIC PROJECT NO 01/CELOG/2022 - AIRCRAFT TECHNICAL SPECIFICATIONS: “3.2.8 Aircraft must be able to receive an in-flight fuel transfer system (REVO) as a refueler”, o qual requer que as aeronaves possuam as seguintes características: “Present the aircraft registration, proving that the aircraft is of the AIRBUS A330-200 model, MSN later than the 555, has a Rolls-Royce or General Electric engine, and is not MSN 567, 584, 597, 627, 635, 657 and 660”.

With this, it is verified that only aircraft with Rolls-Royce or General Electric engines will be accepted. It is also important to point out that the engines must comply with the provisions of the other requirements that affect them, such as the following items from ANNEX 01 TO THE BASIC PROJECT NO 01/CELOG/2022 - AIRCRAFT TECHNICAL SPECIFICATIONS: 3.2.3, 4.1.6.1, 4.1.7, 4.1.10, 4.1.11,4.1.12, 4.1.13P, 4.1.13S, 4.1.18A, 4.1.18B, 4.1.18C, 4.1.18D, 4.1.18E, 4.1.18F, 4.1.18G, 4.1.18H, 4.1.18I, 4.1.18J, 4.1.18K, 4.1.18L, 4.1.18M, 4.1.18N, 4.1.18O, 4.1.18Q, 4.1.18R, 4.1.18S, 4.1.18T, 4.1.18U, 4.1.18V, 4.1.1B, 4.3.3, 4.4.2, 4.4.2.1, 4.4.2.2, 4.4.2.3, 4.4.2.4, 4.4.2.5, 4.4.2.6, 4.4.2.7, and others.

REQUEST FOR CLARIFICATION #06

GENERAL QUESTIONS ABOUT THE INVITATION FOR BID

Question 1: In accordance with the Invitation for BID, what are the “*supplementary declarations*” mentioned by item 2.3?

Answer: Supplementary declarations are all the declarations mentioned in the Invitation for Bid and in the Basic Project. Those are necessary documentation for the qualification process and presentation of the proposals, and they must be indicated, through the Invitation instrument, which envelope they must be in.

Question 1.1.: Do the “*supplementary declarations*” above mentioned restrictively consist of the declarations mentioned by item 6.4 of the Invitation for BID?

Answer: As mentioned in the previous answer, the statements mentioned in the Invitation for Bid and in the Basic Project are those necessary for the qualification and presentation process of

the proposals, with an indication, in the Invitation instrument, of the envelope in which they must be.

Question 1.2.: If the answer is affirmative, must the *“supplementary declarations”* be included inside or outside the *“Envelope nº 01 – Qualification Documents”*?

Answer: As specified in item 6.4 of the Invitation for Bid, the declarations of item 6.4 must be presented inside the qualification documents envelope (Qualification Envelope).

Question 2: May we understand that item 2.4 of the Invitation for BID, which determines that *envelopes 1 and 2 must be included in an oversized envelope sealed and addressed to the Bidding Commission*, applies only to the envelopes sent through postal service?

Answer: The request for inclusion in a larger envelope is a necessary formality for bidders who send their proposals via postal service, in order to mitigate the risk of losing one of the mandatory envelopes and reduce the Bidding Process competitiveness. If the delivery of the envelopes is made in person, at the public session, there is no obligation to deliver the qualification and proposal envelopes in a single envelope. However, it is essential that the envelopes are properly identified with the bidder's information and indicating which envelope contains the qualification documents and which contains the price proposal.

Question 3: Item 2.4. of the Invitation for BID determines that the bidder identifies its oversized envelope with its address, but the model present in this item does not mention the address of the bidder. Considering that, how must the bidder's address be shown in the oversized envelope?

Answer: The item 2.4 is clear in the way the address is presented, using the North American standard of mailing correspondence: *“The name and address of the bidder must be shown in the upper left corner of the bid envelope (...)”*. It should be noted that what is essential is the correct and clear identification of the bidder on the envelopes and which envelope contains the qualification documents and which contains the proposal for the bidding process.

Question 4: May we understand that once bidder complies with item 2.4 of the Invitation for BID the bidder is also complying with item 2.8?

Answer: Yes. Considering the participation of companies of different nationalities, it is necessary to reinforce some points that historically have already presented as risk factors in the delivery of documentation. It should be noted that CABW is not responsible for the way in which the envelopes are sent or for any problems in their delivery by delivery services contracted by the bidders.

Question 5: According to item 3.1. of the Invitation for BID, may we understand that the Bidding company can be legal represented by the “holder of the Bidding company” **OR** by “representative appointed by the bidding company”, so **only one** of these two legal representatives is necessary to allow the bidding company to express itself during the phases of the bidding process?

Answer: Yes. Only a duly accredited representative, at the bidder's discretion, as described in items 3.1, 3.2 and 3.3 of the Invitation for Bid, will allow the bidder to accompany and express himself during the Public Session and bidding phases.

Question 6: Must the legal representative and accreditation documents be presented in English or is it possible to be presented this documentation in Portuguese?

Answer: According to item 23.18, “the official language of the intended engagement, for the purposes of documentation, correspondence and any other interest will be English. There will be bidders of different nationalities and the event will be in English, in order to provide transparency and equity for all participants.

Question 7: The “Accreditation Form” mentioned in item 8.3 of the Invitation for BID is not available in the BACW website, without the form it is not possible to comply with item 8.3. Would it be possible to make it available?

Answer: In item 8.3, all the information in order to present the accreditation was described. The formal aspect will not be demanded. In any case, a template will be available on the BACW's website to assist in filling it out, however its use is not mandatory.

Question 8: Considering the item 8.2 of the Invitation for BID, which “*the bidder must present identification data of the legal representative*”, may we understand that the “Legal Representative & Accreditation” documents must be included in the Envelope nº 01 – Qualification Documents?

Answer: Yes, according to item 8.2. Furthermore, it should be noted that item 8 refers entirely to the contents of Envelope No. 1.

Question 9: The lease agreement with the option to purchase of the aircrafts, that will be made available by the Bidder in this BID is enough to prove the technical qualification requirement expressed in item 8.5.2.2. of the Public Notice?

Answer: The lease agreement with an option to purchase at least two aircraft of similar or greater size is enough to prove the technical qualification requirement expressed in Item 8.5.2.2.

Question 10: Considering that the Invitation for BID does not present models for the declarations mentioned in items 8.14.1, 8.14.4 and 8.14.5, may we understand that these declarations do not need to comply with any formal model?

Answer: There is no rigid formal model for the declarations. They must contain the information requested in items 8.14.1, 8.14.4 and 8.14.5, considering the specifics of each company and its respective nationality.

Question 11: The legal qualification of the bidders is regulated in item 8.4.4. of Invitation for BID, according to it Brazilian companies may present the documents prescribed between articles 27 and 32 of Federal Law No. 8,666/1993 to prove its legal qualification alternatively to the SICAF. However, the legal provisions mentioned deal not only with legal qualification, which is only referred to in art. 28, but also the documentation related to the economic-financial (art. 31) and technical (art. 30) qualification. Considering that, may we understand that, to prove legal qualification for Brazilian bidding companies, only the documents mentioned in article 28 of Federal Law No. 8.666/1993 are required?

Answer: In the case of a Brazilian company, pursuant to the Federal Law No. 8666/93, the provisions of Articles 27 to 32 of the Law No. 8,666 of 1993, must be complied with, with the presentation of all documents provided for.

Question 12: May we understand that to comply with the economic and financial qualification, according to the item 8.14.3 of the Invitation for BID, it is enough the presentation of the prescribed documents in items I and II in article 31 of Federal Law No. 8.666/1993?

Answer: The documents to be required in the economic-financial qualification are described in item 8.14 and subsequent ones, as well as in the Art. 31 of the Federal Law nº 8.666, of 1993, in case you are not requesting in duplicate. For the Financial Guarantee, only the declaration provided for in 8.14.5 will be required in the bidding process.

Question 13: Is there a need for any specific proof document that supports the “Declaration that you are able to obtain and present the financial guarantee, within the period provided for in the contractual instrument” required by item 8.14.5 of the Public Notice?

Answer: Considering the bidder's good faith and avoiding exaggerated formalisms during the Bidding Process, only the declaration has been requested. This request aims to ratify the need to present the guarantee, since it influences the price proposal, as well as to mitigate the risk of non-presentation after the award and approval of the Bid.

Question 14: Considering the need to submit declaration that the Bidding company has the ability to receive payment in US Dollars in the US banking system, may we understand that to comply with this require it is enough to indicate a banking account of the bidding company in a US Bank?

Answer: There is no rigid standard in filing the declaration. The information about a bank account in an American bank, along with the information that the Bidding company has the ability to receive payment in US Dollars in the US banking system, is sufficient.

Question 15: May we understand that, considering the object of the bidding (aircraft acquisition), the expression of non-applicable costs, such as labor costs, are not necessary to be presented?

Answer: The proposal must present the company's detailed costs, as provided for in the Invitation for Bid, including the conditions of delivery and receipt of the aircraft, contained in Annex 2 of the Basic project.

Question 16: In accordance with item 23.18 of the Invitation for BID, may we understand that all formal manifestations of bidders (including appeals and impugnments) must be presented in English?

Answer: As described in item 23.18 of the Invitation for Bid, “the official language of the intended engagement, for the purposes of documentation, correspondence and any other interest will be English.

GENERAL QUESTIONS ABOUT THE BASIC PROJECT

Question 17: Considering the item 6.1.12. of the Basic Project, is the replacement deadline of 30 days counted in working days?

Answer: As per item “22.1.17 DAYS – Calendar days” of the Basic Project, the days for the item 6.1.12 are expressed in calendar days.

Question 18: Does the declaration required by the Basic Project in its item 6.2.5. correspond to that contained in Annex IV of the Bid Notice (“*Declaration of Acknowledgement*”)?

Answer: Yes, the declaration required by the Basic Project in its item 6.2.5. corresponds to that contained in Annex IV of the Bid Notice (“*Declaration of Acknowledgement*”).

Question 19: Considering the item 8.1.1.5. of the Basic Project, is the period of 15 days to notify the contracting part counted in working days?

Answer: As per item “22.1.17 DAYS – Calendar days” of the Basic Project, the days for the item 8.1.1.5 are expressed in calendar days.

Question 20: Regarding the deadline for submission for delivery date of the aircraft: the Basic Project (items 6.1.3 and 6.1.4) defines that the delivery periods (90 and 150 days) will run from the signature of the contract, whereas Annex 02 to the Project Basic (items 5.1.3 and 5.1.4) defines that such terms start from the date of issuance of the service order. It is important to highlight that the date of signature of the contract is also adopted as a base parameter for the delivery of the aircraft according to the physical-financial schedule. Under the terms of item 8 of

the draft contract, the issuance of the service order is considered as the beginning of the delivery period. Considering that the contract and the service orders are documents of different natures, from which of these events do the aircraft delivery deadlines begin?

Answer: The deadline for the delivery of both aircrafts will be counted from the date of the signature of the contract, as per items 6.1.3 and 6.1.4 of the Basic Project.

Question 21: The existing LOPA is already drawn the existing galleys, is this action enough or it is necessary a specific drawing for the galleys?

Answer: The galley drawing is requested in the items "3.7.8 The passenger cabin must have at least 02 galleys of size and capacity compatible with the number of seats in the aircraft" and "4.1.21B The aircraft MUST have updated configuration control, including: B) Galley drawing". The suggested method for the proof of conformity for item 3.7.8 is "Present the LOPA and the "Galley Drawings" evidencing compliance with the requirement" and for the 4.1.21B is "Present the documents that prove compliance with the requirement, updated and in accordance with the aircraft configuration". So, it's necessary to have the drawing of the galleys to satisfy both requirements. If the LOPA has the galley drawing, not only the location of the galleys on the plane, yes, it can comply with both requirements.

Question 22: For the cleaning of the next A Check, may we consider only the cleaning by Flight Hours?

Answer: Yes, the aircraft needs to have at least 600FH (six hundred flight hours) for the next check "A", measured in Flight Hours. If the aircraft doesn't have this available limit on the proposal, it needs to be presented a plan for the accomplishment of the check "A" or its tasks in order to have the 600FH available in the delivery. This plan needs to include, at least, a schedule that proves the tasks will be completed by the date of the delivery of the aircraft, a term of agreement with the maintenance center agreeing with the schedule and confirming that it'll perform the maintenance, and the certification of the maintenance center in order to prove it's able to perform the tasks/checks.

Question 23: For the cleaning of the next C Check, may we consider only the calendar interval?

Answer: Yes, the aircraft needs to have at least 06 (six) months for the next check "C", measured in calendar months. If the aircraft doesn't have this available limit on the proposal, it needs to be presented a plan for the accomplishment of the check "C" or its tasks in order to have the 06 (six) months available in the delivery. This plan needs to include, at least, a schedule that proves the tasks will be completed by the date of the delivery of the aircraft, a term of agreement with the maintenance center agreeing with the schedule and confirming that it'll perform the maintenance, and the certification of the maintenance center in order to prove it's able to perform the tasks/checks.

Question 24: For the cleaning of the next "2C" Check, may we consider only the calendar interval?

Answer: Yes, the aircraft needs to have at least 12 (twelve) months for the next check "2C", measured in calendar months. If the aircraft doesn't have this available limit on the proposal, it needs to be presented a plan for the accomplishment of the check "2C" or its tasks in order to have the 12 (twelve) months available in the delivery. This plan needs to include, at least, a schedule that proves the tasks will be completed by the date of the delivery of the aircraft, a term of agreement with the maintenance center agreeing with the schedule and confirming that it'll perform the maintenance, and the certification of the maintenance center in order to prove it's able to perform the tasks/checks.

Question 25: For the cleaning of the next "4C" Check, may we consider only the calendar interval?

Answer: Yes, the aircraft needs to have at least 12 (twelve) months for the next check "4C", measured in calendar months. If the aircraft doesn't have this available limit on the proposal, it needs to be presented a plan for the accomplishment of the check "4C" or its tasks in order to have the 12 (twelve) months available in the delivery. This plan needs to include, at least, a schedule that proves the tasks will be completed by the date of the delivery of the aircraft, a term of agreement with the maintenance center agreeing with the schedule and confirming that it'll perform the maintenance, and the certification of the maintenance center in order to prove it's able to perform the tasks/checks.

Question 26: For the cleaning of the next "8C" Check, may we consider only the calendar interval?

Answer: Yes, the aircraft needs to have at least 03 (three) years for the next check "8C", measured in calendar years. If the aircraft doesn't have this available limit on the proposal, it needs to be presented a plan for the accomplishment of the check "8C" or its tasks in order to have the 03 (three) years available in the delivery. This plan needs to include, at least, a schedule that proves the tasks will be completed by the date of the delivery of the aircraft, a term of agreement with the maintenance center agreeing with the schedule and confirming that it'll perform the maintenance, and the certification of the maintenance center in order to prove it's able to perform the tasks/checks.

Question 27: Considering the items from 4.1.13D to 14.1.21B, may the proposal documents be submitted only through electronic records (pen drive, CD Room)? Or must the bidding company submit all documents through physical folders?

Answer: According to item 9.14, the documents referring to envelope 2 must be presented in digital and printed media. If it is necessary, due to the technical complexity or size of the file, to forward any document only in electronic format, it must be in a CD Room or DVD, identified, inside the envelope provided for in the Notice and attachments. The name and which item it meets in the Notice and attachments must be included. Such documentation will be public and access to the electronic files will be immediately granted to the bidders participating in the event.

Question 28: Some components that have limited life or controlled maintenance are currently expired due to the time the aircraft has been stopped in preservation, these components will be presented with a negative remaining balance in the report required in item 4.1.13N of Annex 1 of the Basic Project at the time of proposal accompanied by a statement attesting that they will be exchanged and, for the presentation, the components will be replaced by components that meet the requirements of the BID Notice according to clause 4.45, 4.4.5.1 and 4.4.5.2 of Annex 1 of the Basic Project. May we consider that this procedure is in accordance with the BID Notice?

Answer: Primarily, it's important that the items 4.1.13N, 4.4.5, 4.4.5.1 and 4.4.5.2 of the Annex 1 of the Basic Project were considered for this answer, as this document does not have an item 4.45. Considering that, yes, the understanding is in accordance with the BID Notice. It's possible to present, in the proposal phase, the documents with the components with negative balance. In this case, it's needed to prove that the aircraft is in preservation, after accomplishing the appropriate procedures for that, and a statement that the components will be replaced prior to the presentation for delivery of the aircraft.

Question 29: For the items related to items 8.4.1 and 8.4.7 of the Basic Project, may we understand that the responsibility for the maintenance base in GIG is of the contracting party and not of the contracted party during the final receipt?

Answer: Primarily, it's important that the items 8.4.1 and 8.4.7 of the Annex 2 of the Basic Project were considered for this answer, as the Basic Project does not have those items. Considering that, it's important to notice that the Final Acceptance will be a period that the aircraft will be submitted to functional and operational verifications, as per item 8.1.2. It's foreseen, as per items 8.2 and 8.3, only ground checks on the aircraft. On the items 8.2.3 and 8.3.3 it's stated that "The CONTRACTING PARTY's representatives must be accompanied by the CONTRACTED PARTY's representatives". It's also important to observe the Basic Project item "9.1.2.1 *It is authorized the subcontracting of support activities for the delivery and receipt of the aircraft, as well as the execution of maintenance until the end of the procedures for receiving the aircraft and/or the technical guarantee*". So, as stated, it's responsibility of the CONTRACTED PARTY to maintain the aircraft till the end of the final acceptance. It's also important to notice that, if any flight for clarification of the aircraft is needed in this phase, the item "8.4.4 *All costs and authorizations necessary to carry out the flight, if necessary, including, but not limited to, hangarage, handling, fuel and ground support for carrying out the receiving flight shall be provided and borne by the CONTRACTING PARTY, as required by the AFM and by the legislation in force*" define the CONTRACTING PARTY responsibilities. Items "8.4.5 *The aircraft must have insurance covering the hull and engines, borne by the CONTRACTED PARTY, until the end of the final acceptance*", "8.4.6 *The aircraft must have all maintenance records up to date throughout the period of final acceptance*" and "8.4.8 *The CONTRACTED PARTY shall provide for the correction of all discrepancies pointed out by COMREC during the acceptance of the aircraft*" also need to be observed for the final acceptance phase. The items "8.4.1 *The aircraft, which will be at a military airport, must be available for the CONTRACTED PARTY access during the entire period of final acceptance*" and "8.4.7 *The CONTRACTING PARTY must provide a room that accommodates the*

entire CONTRACTED PARTY's team and has a structure of tables, chairs, air conditioning, internet and telephone for use by the CONTRACTED PARTY's team, in a hangar at BAGL" ensure that the CONTRACTED PARTY will have all the support in order to fulfill its tasks till the end of the final acceptance.

Question 30: In the nomenclature of some records, the term "certificate" is mentioned. May we understand that "Certificate" is the same as "Status"?

Answer: As it was not specified of which items this question is referring, it's possible to answer that, in general, certificate is a general term referring to any kind of document that can contain the information needed. As proof of compliance of the status of the aircraft or IFB clauses, it's more important the information itself than the name of the document in which it's stated.

Question 31: Must the technical documents submitted have the same format for both aircraft?

Answer: No, the documents can have different formats for each aircraft. As proof of compliance of the status of the aircraft or IFB clauses, it's important the information itself is complete and clear on the presented documentation, as per item 4 DOCUMENTATION DELIVERY ORIENTATION of the Basic Project. In order to avoid doubts about the presented documentation, it's recommended to observe the item "4.1.9 It is recommended that the BIDDER place a cover or sheet informing which requirement, according to the numbering in the tables, the documentation sent refers to. This procedure is intended to avoid doubts about the content of the documentation at the time of analysis and judgment of the proposal."

Question 32: Can the aircraft documents have different formats or all shall have the bidders format? Nothing the documents will have the same level of information.

Answer: Yes, the documents can have different formats for each aircraft. As proof of compliance of the status of the aircraft or IFB clauses, it's important the information itself is complete and clear on the presented documentation, as per item 4 DOCUMENTATION DELIVERY ORIENTATION of the Basic Project. In order to avoid doubts about the presented documentation, it's recommended to observe the item "4.1.9 It is recommended that the BIDDER place a cover or sheet informing which requirement, according to the numbering in the tables, the documentation sent refers to. This procedure is intended to avoid doubts about the content of the documentation at the time of analysis and judgment of the proposal."

Question 33: Does all technical documentation, which will be sent with the proposal, must be authenticated?

Answer: Authentication has not been required for the technical documents referring to the proposal.

Question 34. Once the bidder intends to offer collateral guarantee, in accordance with the seventh clause of the draft of the contract, in which banking account the bidding company must make the deposit of the guarantee?

Answer: If you choose to present the guarantee in the form of a guarantee in cash or in Public Debt securities, you must do so by means of a deposit in American banking institutions with legal operation in the USA, by opening a specific account for this purpose, with the Brazilian Aeronautical Commission in Washington (BACW) as a beneficiary. In the case of a Brazilian company, it must also observe item I of paragraph 1^o of Art. 56 of the Federal Law No. 8,666, of 1993, and the provisions of the Decree-Law No. 1737, of December 20, 1979.

REQUEST FOR CLARIFICATION #07

Question 1. In accordance with item 8.6 of the Invitation for BID, which addresses the documents of qualification, the “applicable criteria described in item 18 of the Basic Project 001/CELOG/2022 must be inserted in ENVELOPE 01”, however, some documents or criteria mentioned in the item 18 of the Basic Project are directly related to price proposal (as we can see in subitem 18.1.3. 1, 18.1.3.1. 2 and 18.1.5 3 from the English version of the Basic Project, which address the need to prove the possession of the aircraft, and they also determine that the proof of the possession will only be analyzed when of the analysis of the proposal). In this scenario, may we understand that the criteria described in items 18.1.3., 18.1.3.1. and 18.1.5 must be included only in the Envelope No. 02 – Price Proposal?

Answer: The subitems 18.1.3 and 18.1.3.1 of the Basic Project refer to the Technical Qualification”, item 8.5.2 and subitems 8.5.2.1 and 8.5.2.2 of the Invitation for Bid, without any mention of the price to be offered by the bidder. They MUST be inserted in the Envelope No 1 – Qualification. They will determine both the Technical Qualification and the property or conditions to obtain the ownership described in item 18.1.5 of the Basic Project.

REQUEST FOR CLARIFICATION #08

Question 01 – Regarding item 5.2 (“Requirements to be met by aircraft”) REF No. 4.1.6, according to the condition established for the Engine, we would like to ask if it would be possible for this BID to consider the same concession type and allow the engines to have more than 120% of the aircraft's TSN as long as the remaining life of each of the LLPs installed in each of the motors have at least 4000 FC remaining?

Answer: The maximum TSN and CSN allowed for the engines, as per item 4.1.6, are 120% of the aircraft's TSN and CSN.

Question 02 – Regarding item 5.2 (“Requirements to be met by aircraft”) REF No 4.4.2.1, 4.4.2.2, 4.4.2.3, 4.4.2.4, 4.4.2.5, 4.4.2.6 e 4.4.2.7, aiming to set a remaining life expectancy of all life-limited parts and preventing parts below 906 life cycles from leading to premature removal of engine(s), we would like to ask if it could accepted that the remaining life of LLPs of both engines is at least 4,000 FC remaining?

Answer: The items 4.4.2.1, 4.4.2.2; 4.4.2.3; 4.4.2.4; 4.4.2.5 and 4.4.2.6 stablish the minimum FC for LLP components, based on the cycles available for each component. So, for example, there are components that needs to have, at least, 14.400FC available (item 4.4.2.7) for a TLV greater than 18.001FC. Therefore, the minimum of 4.000FC for all LLP on the engines will comply only for the LLP with a TLV maximum of 9.000FC.

Question 03 – Aiming to offer additional warranty for the case in question, in view of the possible need for future replacement of parts with limited life with different times, would it be possible to offer a warranty on the date of execution of the Shop Visit to replace such parts in the amount USD 250,000.00 for each engine and limited to the first visit (Shop Visit) after delivery of the aircraft? The afore mentioned warranty will be valid for five years after delivery of the aircraft and the engines will be eligible if they have flown over 3000 FC. The guarantee will be provided in the form of compensation and will only be released after the execution of the services with exchange of LLPs and due release of the technical documentation by the repair shop.

Answer: The eventual offer of an additional warranty may be accepted by the Contracting Party. However, it does not imply the mitigation of the requirements set out in the Basic Project, which must be objectively followed by the bidding parties. That is, the warranty proposed by the company does not exempt it from the accomplishment of items 4.4.2.1, 4.4.2.2; 4.4.2.3; 4.4.2.4; 4.4.2.5 and 4.4.2.6 from Basic Project that stablish and detail the minimum FC for LLP components.