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Business Opportunity

Title: Belgium-Brussels: CFSP — Supply of armoured vehicles to common security and defence policy missions (CSDP missions); to EU Special R

Document Type: Contract Notice

Published By: European Union

Date Published: 15 March 2016

Deadline Date: 10 June 2016

Supply contract notice

Location — worldwide

1.Publication reference:

EuropeAid/136412/DH/SUP/Multi.

2.Procedure:

Open.

3.Programme title:

Common foreign and security policy ('CFSP').

4.Financing:

CFSP's budget (Chapter 19.03 of the general budget of the European Union).

The specific contracts will be financed through the budget of the contracting authority.

5.Contracting authority:

European Union (hereinafter referred to as 'the Union'), represented by the European Commission (hereinafter referred to as 'the lead contracting authority'), Brussels, BELGIUM, and the following contracting authorities: persons entrusted with the implementation of specific actions pursuant to Title V of the Treaty on European Union (common foreign and security policy ('CSDP') missions (EUPOL Afghanistan, EULEX Kosovo (this designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence), EUMM Georgia, EUCAP Nestor, EUSEC RD Congo, EUCAP Sahel Niger, EUCAP Sahel Mali, EUBAM Rafah, EUPOL Copps, EUBAM Libya, EUAM Ukraine) and European Union special representatives ('EUSRs') (EUSR Afghanistan, EUSR Bosnia and Herzegovina, EUSR Central Asia, EUSR Horn of Africa, EUSR Human Rights, EUSR Kosovo, EUSR MEPP, EUSR Sahel and EUSR South Caucasus and Georgia), the European External Action Service (EEAS) and its

delegations as well as for the CSDP military operations (Athena mechanism) (hereinafter collectively referred to as 'the contracting authority').

During the duration of the FWC the Council may either terminate any of these CSDP missions or EUSRs and/or establish new actions in new locations worldwide.

The specific contracts or order forms governed by the framework contract will either be concluded by the European Commission, CSDP missions, EUSRs, EEAS (and its delegations) or the Athena mechanism.

Contract specifications

6. Description of the contract:

The objective of the tender is to conclude a framework contract ('FWC') for the supply and delivery, including maintenance, after-sales service and relevant training, of armoured vehicles (including spare parts) according to the technical specifications. The tender is split into 2 different lots:

a) lot 1: armoured 4x4 sports utility vehicle (SUV):

it will be used in all weather conditions, mainly but not exclusively characteristic for Middle Eastern climate zone, very warm and dry, operated mainly but not exclusively in urban areas, on hard surface and dirt roads, mainly parked outdoors, exposed to the elements;

b) lot 2: armoured 4x4 off-road vehicle:

it will be used in all weather conditions, mainly but not exclusively characteristic for European and Middle Eastern climate zones, operated mainly but not exclusively outside urban areas, on dirt roads, tracks and off-road. The vehicle will mainly but not exclusively be used in mountainous regions as well as desert environments and should therefore have superior performance both in winter conditions as well as warm and dry environments, mainly parked outdoors, exposed to the elements.

The contractor is obliged to give free of charge consultation and assistance in mounting specialist communication or police equipment on the vehicle (for both lots).

The basic requirements for each lot are specified in the technical specifications.

Both donor vehicles (lot 1 and lot 2) must fulfil the minimum requirements necessary to obtain a certificate of conformity for EU (COC). This document contains information about the vehicle and its producer's identification, type approval number, technical specifications, etc. The content of a COC is defined by Council Directive No 92/53/EEC of 18.6.1992 amending Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers and Directive 2007/46/EC of the European Parliament and of the Council of 5.9.2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles. Adaptation changes, such as power supply of radio communication equipment or additional antenna installation, electronic counter measures, fleet management control units or others needed, cannot cause the loss or any limitation of the rights resulting from the manufacturer's warranty. The requirements for both lots are specified in the technical specifications.

The contracting authority estimates that, on average, 31 armoured vehicles for lot 1 and 19 armoured vehicles for lot 2 per year might be required. The purchase will in any case depend on the needs and the crisis situations. However, the contracting authority is not bound to reach that number.

The maximum value of this FWC amounts to 43 120 000 EUR for a maximum of 4 years duration (average 10 780 000 EUR per year). This amount is tentatively forecasted as follows:

lot 1: 6 600 000 EUR per year;

lot 2: 4 180 000 EUR per year.

Currently, CSDP missions and EUSRs are established in Afghanistan, Bosnia and Herzegovina, Djibouti, Democratic Republic of the Congo, Georgia, Kosovo, Libya, Mali, Niger, Occupied Palestinian Territories and Ukraine (<http://www.eeas.europa.eu/csdp/missions-and-operations/>).

The EEAS has 139 delegations deployed in the world and the Athena mechanism has 6 military operations in force (<http://www.consilium.europa.eu/en/policies/athena/>). During the duration of the FWC the EU may establish new actions in new locations worldwide. The successful tenderer must be able to supply and deliver the items (DAP) subject to this FWC worldwide and according to the deadlines set in the tender dossier.

7. Number and titles of lots:

The contract is divided into 2 lots:

lot 1: armoured 4x4 sports utility vehicle ('SUV');

lot 2: armoured 4x4 off-road vehicles.

Terms of participation

8. Eligibility and rules of origin:

Participation in this tender is open to all legal persons, participating either individually or in a grouping (consortium) of tenderers.

No restriction applies with respect to the origin of the goods.

9. Grounds for exclusion:

Tenderers must submit a signed declaration, included in the tender form for a supply contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the 'Practical Guide'.

10. Number of tenders:

Tenderers may submit only 1 tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than 1 lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

11. Tender guarantee:

No tender guarantee is required.

12. Performance guarantee:

No performance guarantee is required for the FWC.

However, without prejudice to the lot awarded, the successful tenderer will be asked to provide a performance guarantee of 10 % of the amount of the specific contract governed by the FWC at the signing of the contract. This guarantee must be provided together with the return of the countersigned specific contract no later than 30 days after the tenderer receives the specific contract signed by the contracting authority. If the selected tenderer fails to provide such a guarantee within this period, the specific contract will be void.

13. Information meeting and/or site visit:

No information meeting is planned.

14. Tender validity:

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders. In exceptional circumstances, the contracting authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period (see paragraph 8.2 of the instructions to tenderers).

15. Period of implementation of tasks:

The FWC will be concluded for an initial period of 2 years, with the possibility to extend it twice for a maximum period of 1 year each. Specific contracts or order forms must be signed before the expiry of the FWC and the deliveries must take place at the latest within 6 months following the signature of the specific contract.

The normal period for the implementation of the specific contracts or order forms will depend on the number of vehicles to be supplied. It will be specified in the orders implementing the FWC following the rules set in the instructions to tenderers.

Selection and award criteria

16. Selection criteria:

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are subcontractors:

1) Economic and financial capacity of tenderer (based on item 3 of the tender form for a supply contract). In the case of the tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last 3 years for which accounts have been closed:

- the average annual turnover of the tenderer for the last 3 financial years for which accounts have been closed must exceed the estimated annual value of the contract to which the tenderer applies for (6 600 000 EUR for lot 1, 4 180 000 EUR for lot 2 and 10 780 000 EUR for both lots),
- the current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1. In the case of a consortium this criterion must be fulfilled by each member.

Among others, the successful tenderer must provide the balance sheets or extract from balance sheets for at least 3 years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established; and the statement of the overall turnover.

2) Professional capacity of tenderer (based on items 4 and 5 of the tender form for a supply contract). The reference period which will be taken into account will be the last 3 years from the submission deadline:

- the tenderer must have a minimum of 15 permanent staff working in fields related to this contract (managerial, logistic, import-export department organisation, trainers and technical staff responsible for the goods to be supplied), when submitting an offer for lot 1 or lot 2, or a minimum of 30 staff when submitting an offer for both lots,

- the tenderer must be registered as a company authorised to manufacture, put into service and export armoured vehicles (it must be able to export the vehicles worldwide on DAP conditions).

The successful tenderer shall provide the relevant supporting documents issued by their country of establishment,

- the tenderer has the capacity and the systems in place to ensure the level of quality and the standards and norms of the proposed vehicles, as per ISO standard 9001 concerning quality management.

3) Technical capacity of tenderer (based on items 5 and 6 of the tender form for a supply contract). The reference period which will be taken into account will be the last 3 years from the submission deadline. The tenderer must show, supported by evidence, that:

- the tenderer has the proven capacity to manufacture 5 armoured vehicles ready for dispatch in less than 30 calendar days. Tenderers applying to both lots must prove that they have manufactured 10 armoured vehicles ready for dispatch in less than 30 calendar days.

This means that the contract the tenderer refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, final acceptance). In the case of projects still ongoing only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value.

In addition to the criteria above, tenderers must provide a technical offer containing the minimum requirements set forth in the technical specifications.

Capacity-providing entities:

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. Some examples of when it may not be considered appropriate by the contracting authority are when the tenderers

rely in majority on the capacities of other entities or when they rely on key criteria. If the tenderer relies on other entities it must prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the contracting authority.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

17. Award criteria:

Price.

Tendering

18. How to obtain the tender dossier:

The tender dossier is available from the following Internet address:

<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

The tender dossier is also available from the contracting authority. Tenders must be submitted using the standard tender form for a supply contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to FPI-3-TENDERS@ec.europa.eu (mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The contracting authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the EuropeAid website at

<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

19. Deadline for submission of tenders:

10.6.2016 (17:30), Brussels time.

Any tender received by the contracting authority after this deadline will not be considered.

20. Tender opening session:

14.6.2016 (10:00) in the EEAS's headquarters at rond point Schuman 9A, 1040 Brussels, BELGIUM.

21. Language of the procedure:

All written communication for this tender procedure and contract must be in English.

22. Legal basis:

Council Decisions establishing CSDP missions and EUSRs:

<http://www.eeas.europa.eu/csdp/missions-and-operations/>

http://eeas.europa.eu/background/eu-special-representatives/index_en.htm

23. Additional information:

The European Commission will conclude the framework contract(s) while the specific contracts will either be concluded by the European Commission, CSDP missions and EUSRs, the EEAS or the Athena mechanism.