

NOTICE OF WORKS CONTRACT

International open procedure

Framework agreement for the acquisition of intelligence, surveillance and reconnaissance (ISR) UAVs for state armed forces

N° EPF-2023-11_AO4

PROJECT DESCRIPTION

1. Contract description

DCI, a key player in the implementation of the European Union and NATO, regularly receives orders for the acquisition of complete systems designed to reinforce airborne intelligence, surveillance and reconnaissance capabilities.

The purpose of this contract is to set up framework agreements with a view to referencing holders who are recognized economic operators in the manufacture of surveillance UAVs, and who will be invited to participate in subsequent competitive tenders for the award of subsequent contracts.

This framework agreement is part of an open call for tenders which will lead to :

- Notification of the framework agreement to the selected contractors;
- Notification of the 1st subsequent contract (MS1) to the holder of the framework agreement who submitted the best offer.

2. Number and titles of lots

Single batch.

CO PARTICIPATION CONDITIONS

3. Eligibility and rule of origin

Legal entities may not take part in competitive tendering, nor be awarded a framework agreement, if they:

- a. Are bankrupt or being wound up, are having their affairs administered by the courts, have ceased trading, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b. Are the subject of a declaration of bankruptcy, liquidation, judicial settlement or any other similar procedure provided for in national legislation or regulations;
- c. Have been convicted of an offence involving their professional conduct by a judgment which has the force of res judicata (i.e. against which no further appeal is possible);
- d. In professional matters, have committed serious misconduct;
- e. Have not fulfilled their obligations to pay social security contributions in accordance with the legal provisions of the country in which they are established;
- f. Have not fulfilled their tax payment obligations in accordance with the legal provisions of the country in which they are established;
- g. Are guilty of gross misrepresentation in providing information required by DCI for

- participation in a contract;
- h. Act as front companies for the purpose of concealing financial transactions and/or laundering the money of one or more other companies.
 - i. In the context of another contract with DCI, have been declared in serious default of performance due to failure to meet their contractual obligations;
 - j. It has been established by a final judgment that the company is guilty of any of the following:
 - i. fraud, as defined in Article 3 of Directive (EU) 2017/1371 ;
 - ii. corruption, as defined in Article 4(2) of Directive (EU) 2071/1371 ;
 - iii. conduct linked to a criminal organization as referred to in Article 2 of Framework Decision 2008/841/JHA of the Council of the European Union;
 - iv. money laundering or terrorist financing within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council ;
 - v. terrorist offence or offence connected with terrorist activities, as defined respectively in Article 1 and Article 3 of Council Framework Decision 2002/475/JHA, or incitement to commit an offence, complicity or attempt to commit an offence as referred to in Article 4 of the said Decision;
 - vi. Child labor or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council.
 - k. who have been convicted of one of the offences listed in articles 222-34 to 222-40, 225-4-1, 225-4-7, 313-1, 313-3, 314-1, 324-1, 324-5, 324-6, 421-1 to 421-2-4, 421-5, 432-10, 432-11, 432-12 to 432-16, 433-1, 433-2, 434-9, 434-9-1, 435-3, 435-4, 435-9, 435-10, 441-1 to 441-7, 441-9, 445-1 to 445-2-1 or 450-1 of the French Criminal Code, articles 1741 to 1743, 1746 or 1747 of the French General Tax Code, or for receiving such offences, as well as for equivalent offences under the legislation of another European Union member state. The final conviction for one of these offences or for concealment of one of these offences of a member of the management, administrative, executive or supervisory body or of a natural person who holds a power of representation, decision or control of a legal entity entails the exclusion of this legal entity from the award procedure, for as long as this natural person exercises these functions.
 - l. Persons who have not made the required tax or social security declarations, or who have not paid the taxes, levies, contributions or social security contributions due in the country concerned, are excluded from the award procedure.
 - m. Who have been sanctioned for failure to comply with the obligations set out in articles L. 8221-1, L. 8221-3, L. 8221-5, L. 8231-1, L. 8241-1, L. 8251-1 and L. 8251-2 of the French Labor Code, or who have been convicted under article L. 1146-1 of the same code or article 225-1 of the French Penal Code;

Point a. does not apply in the case of the purchase of supplies on particularly advantageous terms, either from a supplier definitively ceasing trading, or from the liquidators of insolvency proceedings, through an arrangement with creditors, or under a similar procedure provided for by national law.

DCI excludes the company:

- Where a legal person who is a member of the administrative, management or supervisory body of the said enterprise or who has powers of representation, decision-making or control in respect of the said enterprise is in one of the situations referred to in points c) to i);
- Where a legal entity which is indefinitely liable for the debts of the said company is in one of the situations referred to in a) or b) ;
- When a legal entity that is essential to the award or execution of the legal commitment is in one of the situations referred to in points c) to i).

The candidate/tenderer must sign a declaration on their honour that they are not in one of the above categories.

Tenderers established in countries under European Union sanction are also excluded.

4. Number of offers

Tenderers may submit an offer demonstrating their technical, commercial and financial capacity to participate in future consultations for subsequent contracts.

5. Admissibility situations

In order to be accepted, bids must be completed as specified in the Consultation Rules.

6. Subcontracting possibilities

Subcontracting is allowed.

7. Performance bond

No performance bonds are required under the Framework Agreement. Performance bonds may be requested for subsequent contracts.

8. Information meeting and/or site visit

N/A

9. Bids' validity

Bids are valid for a period of ninety (90) days from the deadline for receipt of bids.

10. Planned start date of contract

Notification during February 2025 for an estimated contract start at the end of February 2025.

11. Task implementation period

The framework agreement will be implemented for a period of forty-eight (48) months.

SELECTION AND AWARD CRITERIA

12. Selection criteria

The selection criteria under the Framework Agreement are professional, technical and economic/financial capacity to manufacture tactical surveillance UAVs.

13. Award criteria

All bidders meeting the selection criteria will be awarded a Framework Agreement.

DCI will notify unsuccessful candidates that their bids have been rejected, informing them that they have 15 working days in which to lodge a complaint with DCI.

SUBMIT AN OFFER

14. How can I obtain the tender documents?

The service provider must send the confidentiality undertaking to the following address: service.achats@groupepci.com.

This confidentiality document must be returned and signed no later than January 10, 2025 at 12:00 Paris time to the above e-mail address, in accordance with the timetable in the consultation rules.

The call for tenders will be accessible from January 13, 2025 on the WSS online tool once the confidentiality document has been received. Any questions concerning this invitation to tender must be submitted on the WSS online platform at least ten (10) days before the deadline for submission of tenders set out in point 15. DCI will respond to questions on 03 February 2025. DCI may need to modify the present timetable and will notify candidates in writing via the WSS online tool.

15. Deadline for submission of offers

The deadline for submission of bids is: February 7, 2025 at 12:00 p.m. (Paris time zone). Any offer received after this deadline will not be considered.

16. Tender opening session

February 10, 2025 at 9:30 a.m.