

MARKET NOTICE

International open procedure

Acquisition of small-calibre weapons and munitions

N° EPF-2024-55_AO1

PROJECT DESCRIPTION

1. Market description

DCI, an implementing actor of the European Union, was designated by the Council of the EU (Council Decision 2024/1248) to implement under the European Peace Facility an assistance measure for Benin's armed forces.

The purpose of this contract is to supply and deliver small-calibre weapons and munitions.

2. Number and titles of lots

The contract comprises 7 lots:

Lot 1: 7.62mm calibre precision rifles fitted with day sights

Lot 2: 12.7mm calibre machine guns

Lot 3: Tripod-mounted automatic grenade launchers

Lot n°4: Portable single-shot grenade launchers

Lot n°5: 12,7x99 mm ammunition

Lot n°6: Grenades 40x46mm and 40x53mm

Lot n°7: 7,62x51 mm ordinary lead bullet ammunition

CONDITIONS OF PARTICIPATION

3. Eligibility and rule of origin

Legal entities may not take part in competitive tendering, nor be awarded a contract 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 for 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. Admissibility situations

To be admissible, bids must be completed as requested in the consultation rules in the specifications.

5. Subcontracting possibilities

Subcontracting is authorized on condition of having obtained from DCI the prior acceptance of each subcontractor under the conditions detailed in the consultation rules.

6. Bids' validity

Bids are valid for a period of sixty (60) days from the deadline for receipt of bids.

7. Planned start date of contract

For an contract estimated start in April 2025.

8. Task implementation period

The contract will be implemented from is notification date and will end not later than May 31,2026.

SELECTION AND AWARD CRITERIA

9. Selection criteria

The selection criteria for the application are the professional, technical and economic/financial capacity to supply and deliver arms and ammunition to Benin.

10. Award criteria

The award criteria are defined in the regulations for consultation of the specifications.

As soon as DCI has made its choice of the best offer, DCI informs the bidders in writing of the result of the call for tenders by:

- indicating, for each lot, to the bidder having obtained the 2nd best score that he is the reserve candidate in the event of withdrawal of the successful candidate or failure to finalize the contract, and
- notifying the unsuccessful candidates of the rejection of their offer.

SUBMIT AN OFFER

11.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 March 13, 2025 to the above e-mail address, in accordance with the timetable in the consultation rules.

The call for tenders will be accessible from March 06, 2025 on the online platform tool once the signed confidentiality document has been received by DCI. Any questions concerning this invitation to tender must be submitted on the online platform at least ten (10) days before the deadline for submission of tenders set out in point 12. DCI will respond to questions on March 24, 2025.

DCI may need to modify the timetable and will notify candidates in writing via the online tool.

12. Deadline for submission of offers

The deadline for submission of bids is: March 31, 2025 at 12:00 p.m. (Paris time zone). Any offer received after this deadline will not be considered.