

Ref.: EDAC201803012Brussels, 22/03/2018

**Subject: Ex-ante publicity notice for the negotiated procedure 18.CAT.NP3.044 “Non-Lethal Capabilities Training Syllabus”**

To whom it may concern

The European Defence Agency (EDA) will shortly launch a call for tenders for the award of the above mentioned middle value contract.

Should you be interested in being invited in the above mentioned call for tenders, please follow the instructions below.

In order to help you assess whether the envisaged contract is of your interest, the following information is hereby communicated.

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| **Outline description of the envisaged contract** | |
| Type of contract | Direct Service contract |
| Lots | N/A |
| Maximum estimated budget available for the contract | EUR 50 000 |
| Duration of the contract | 10 Months |
| Subject matter of the contract | The subject of the contract is the development of a Training Syllabus Catalogue for Non-Lethal Capabilities (NLC) which will enable EDA participating Member States’ (pMS) military forces to develop the needed mindset, knowledge and practical skills that will allow them to operate and employ non-lethal assets (weaponry, ammunition, equipment) with respect to all relevant regulations within the EU.  The NLC Training Syllabus catalogue shall facilitate a common operational approach among pMS military forces in using NLC in military missions and operations for discriminating (deter, deny, defeat) the threats (i.e. hostile intents, violent behaviour) through [non-lethal methods](https://securitylicenseflorida.com/alternative-non-lethal-control-methods-course/). It shall allow MS’ military personnel to develop an integrated non-lethal competency (academic and practical).  The NLC Training Syllabus catalogue shall include:   * the conceptual layout for modular and scalable training events (courses) in accordance with the identified target (trainee) audience; * the syllabus for each training event (course) which shall include at least the course description ( goals and objectives), prerequisites, the grading/evaluation scheme, materials to be used (documents/equipment), topics to be covered, learning methods (academic work/practical activities), a schedule (timetable for learning activities), and a bibliography.   The development of the NLC Training Syllabus Catalogue will be conducted in close cooperation with pMS’ experts on non-lethal capabilities (NLC) and which are expected to contribute to all phases of the project. |
| Participation in the negotiated procedure | Participation in EDA’s public procurement procedures is open on equal terms to all natural and legal persons coming within the scope of the EU Treaties. When applying the rules of access to the market, it is the country where the tenderer is established which is to be considered. As regards a natural person, it is the State in which the person has his domicile.  EDA procurement procedures are not covered by the WTO Multilateral Government Procurement Agreement (GPA). Tenderers established in third countries (non-EU countries) do not have the right to participate in procurement procedures unless international agreements in the field of public procurement grant them the right to do so. In case there is no such agreement, or the agreement does not apply to the kind of contracts put out to tender, tenderers of third countries are not entitled to participate.  The relevant international agreements in the field of public procurement are the Stabilization and Association Agreements (SAA) and the European Economic Area Agreement (EEA). Currently, the following countries have signed and ratified the above Agreements and therefore economic operators established in Iceland, Liechtenstein, Norway, FYROM, Albania, Montenegro, Serbia, Kosovo, Bosnia and Herzegovina also have the right to participate in EDA’s public procurement procedures. |
| Selection criteria: necessary capacity to implement the contract | Potentially interested economic operators are hereby informed that the following selection criteria will be assessed in the scope of the envisaged negotiated procedure:  **Economic and financial criteria**   |  |  |  | | --- | --- | --- | | **Criterion** | **Minimum capacity** | **Evidence/supporting documents** | | Economic and financial capacity | The tenderer must have a minimum annual turnover for the last three financial years for which accounts have been closed, of 50 000 EUR. | The duly completed and signed Financial and Economic Capacity Overview Form in annex to the tender specifications. |   **Technical and professional criteria**   |  |  |  | | --- | --- | --- | | **Criterion** | **Minimum capacity** | **Evidence/supporting documents** | | **1**.The tenderer is to demonstrate:  - expertise and knowledge in non-lethal weaponry (weapons and related ammunition) and technologies. | At least one project (with minimum value of 50 000 EUR) for providing services in the area indicated in criterion no 1 in the last 3 years. | List of relevant services provided in the past three years, with sums, dates and recipients, public or private describing the services provided with respect to the requirements laid out above. The most important services shall be accompanied by certificates of satisfactory execution (if available), specifying that they have been carried out in a professional manner and have been fully completed (where applicable); | | **2**. The tenderer is to demonstrate its capacity to provide a qualified team of experts for delivering the service | Team of minimum one expert having at least the following qualifications/expertise:  Project Management: At least 3 years’ experience in activities such as project coordination, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in project of a similar size.  NLC Expertise: Relevant higher education degree and / or 3 years' professional experience as required under criterion 1. | The CVs of experts detailing the educational and professional qualifications and experience. The Europass curriculum vitae format[[1]](#footnote-1) shall be filled in. Each CV provided shall indicate the intended function in the delivery of the service. The precise contractual link with the tenderer has also to be described. |   **NB** Whilst no documents need to be submitted at this stage to prove that the above criteria are met, potentially interested economic operators are strongly advised to verify that they fully comply with the announced criteria. |
| Indicative date for launching the negotiated procedure | Invitation to submit tenders will be electronically sent to economic operators indicatively on **04/04/2018.** |
| Indicative time schedule for signing the contract | The envisaged contract will be signed indicatively by **end May 2018.** |

If you are interested in being invited in the above mentioned call for tenders, please reply to this ex-ante publicity notice by sending via email the filled-in **Reply Form**. Such Reply Form shall be sent to no later than **03/04/2018 – at 17h00** (Brussels time) to the following EDA functional mail box:

procurement[@eda.europa.eu](mailto:procurement@eda.europa.eu)

No evaluation is performed at this stage. All the economic operators who have expressed their interest to participate in this procurement procedure within the above-mentioned deadline will be subsequently invited to submit a tender. The contracting authority reserves the right to also invite economic operators not included in the list of interested economic operators who responded to this ex-ante publicity.

Only the candidates invited by the contracting authority to participate in this procurement procedure will be admissible.

This publicity is in no way binding for the EDA. The EDA's contractual obligation commences only upon signature of the contract with the successful tenderer.

Submission of an expression of interest implies acceptance of receiving the invitation to tender by electronic means. **It is the tenderer’s responsibility to provide a valid e-mail address together with their contact details in the Reply Form and to check their e-mail regularly.**

We look forward to receiving your expression of interest.

**Annex**: Reply Form (Expression of interest)

**REPLY FORM (Expression of interest)**

Please return the present page duly filled in to the following e-mail:

[procurement@eda.europa.eu](mailto:procurement@eda.europa.eu)

Please indicate in the subject line of the e-mail the title and number of the procedure:

**18.CAT.NP3.044 “Non-Lethal Capabilities Training Syllabus”**

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| Name of the Company |  |
| Title, first name and last name of contact person, and Function within the Company |  |
| Address of the Company (including post code, town, country) |  |
| Telephone: (with international prefix) |  |
| E‑mail of the contact person[[2]](#footnote-2) |  |

Upon reception of your expression of interest, your personal data will be recorded and further processed by the responsible staff members of EDA for the sole purpose of drawing up list of interested economic operators that will be invited to take part in the present negotiated procedure. Such data will be processed by EDA in accordance with Article 31 of Council Decision (CSFP) 2015/1835 which establishes that the rules laid down in Regulation (EC) No 45/2001[[3]](#footnote-3) shall apply to the processing of personal data by EDA.

Details concerning processing of your personal data are available in the privacy statement at the page:

<http://www.eda.europa.eu/docs/default-source/procurement/privacy-statement.pdf>

1. <http://europass.cedefop.europa.eu/en/home> [↑](#footnote-ref-1)
2. Where the invitation to tender will be sent. [↑](#footnote-ref-2)
3. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. [↑](#footnote-ref-3)