

Additional information about the Contract Notice

PROC_ECS_2025_028 - FWC Security Services Somalia

1. Nature of contract

Fee-based

2. Programme title

Council Decision (CFSP) 2024/3096 of 5 December 2024 extending and amending Decision 2012/389/CFSP on the European Union Capacity Building Mission in Somalia (EUCAP Somalia) read along the Contribution Agreement CFSP/2024/34/EUCAP Somalia.

3. Financing

Budget Line 3.8.2 under the Contribution Agreement CFSP/2024/34/EUCAP Somalia

4. Legal basis, eligibility and rules of origin

Council Decision (CFSP) 2024/3096 of 5 December 2024 extending and amending Decision 2012/389/CFS on the European Union Capacity Building Mission in Somalia (EUCAP Somalia) read along the Contribution Agreement CFSP/2024/34/EUCAP Somalia.

Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (Financial Regulation).

Participation in this tender procedure is open only to the invited tenderers.

No rule of origin applies.

5. Candidature

All eligible natural and legal persons (as per item 4 above) or groupings of such persons (consortia) may participate or tender.

A consortium may be a permanent, legally established grouping or a grouping which has been constituted informally for a specific procurement procedure. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the contracting authority.

The participation or tender of an ineligible natural or legal person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

6. Number of requests to participate or tenders

No more than one request to participate or tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting a request to participate or tender). In the event that a natural or legal person submits more than one request to participate or tender, all requests to participate or tenders in which that person has participated will be excluded.

In case of lots, the candidates or tenderers may submit only one request to participate or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract. If the tenderer is awarded more than one lot, a single contract may be concluded covering all those lots.

7. Grounds for exclusion

Candidates must submit a signed declaration, included in the request to participate form, to the

effect that they are not in any of the situations listed in Section 2.4.2.1. of the **practical guide (PRAG)**. Where the candidate intends to rely on capacity providing entities or subcontractor(s), he/she must provide the same declaration signed by this/these entity(ies).

Candidates included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract¹.

8. Sub-contracting

Sub-contracting is allowed.

9. Number of candidates to be short-listed

On the basis of the request to participate received, between 5 and 8 candidates will be invited to submit detailed tenders for this contract. If the number of eligible candidates meeting the selection criteria is less than the minimum of 5, the contracting authority may invite the candidates who satisfy the criteria to submit a tender. If the number of eligible candidates meeting the selection criteria is more than the maximum allowed, the contracting authority will rank them using the re-examination criteria stated below.

10. Short-list alliances prohibited

Any tenders received from tenderers having a different composition than the ones mentioned in the short-listed request to participate forms will be excluded from this restricted tender procedure, unless prior authorisation from the contracting authority has been obtained – see practical guide 2.5.5. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

11. Provisional date of invitation to tender

01st of July 2026

12. Provisional commencement date of the contract

01st of December 2026

13. Period of implementation of tasks

The period of implementation of the Contract shall be twelve months (12) months from the entry into force of the Contract. The framework contract is renewed automatically three (3) times for further 12 months each through “tacit renewal”, unless one of the Parties receives formal notification to the contrary at least three (3) months before the end of the ongoing duration. Renewal does not change or postpone any existing obligations.

The actual implementation of the tasks shall take place only upon the issuance of Order Forms signed by the Contracting Authority.

The continuation of the contract beyond the 28th of February 2027 is subject to the conclusion of the new Contribution Agreement between the European Commission and EUCAP Somalia and the extension of the mandate of EUCAP Somalia by the Council thereof, and to the allocation of the corresponding funds for the period beyond 28th February 2027.

14. Language of the procedure

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

15. Additional information

Financial data to be provided by the candidate in the request to participate form or in the tender

¹ Please note that the EU Official Journal contains the official list of entities subject to restrictive measures and, in case of conflict, it prevails over the list of the [EU Sanctions Map](#).

submission form must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate of May 2026, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

SELECTION AND AWARD CRITERIA

16. Selection criteria

Capacity-providing entities

An economic operator (i.e. candidate or tenderer) 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. If the economic operator relies on other entities, it must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment by 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 relying on them and must fulfil the selection criteria for which the economic operator relies on them. **Furthermore, the data for this third entity for the relevant selection criterion should not be included in the request to participate form but in a separate document.** Proof of the capacity will also have to be provided when requested by the contracting authority.

With regard to technical and professional criteria, an economic operator 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 economic operator relies, become jointly and severally liable for the performance of the contract.

The following selection criteria will be applied to candidates. **In the case of requests to participate 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 sub-contractors.

The candidate shall not use previous experience which caused breach of contract and termination by a contracting authority as a reference for selection criteria.

The selection criteria for each tenderer are as follows:

- 1) Economic and financial capacity** (based on item 3 of the request to participate form). In case of candidate being a public body, equivalent information should be provided. The reference period which will be taken into account will **be the last three years for which accounts have been closed.**

Criterion 1: average annual turnover

The candidate's or tenderer's average annual turnover of the **last 3 financial years** for which **the accounts have been closed** must be not less than 10,500,000EUR.

- 2) Professional capacity** (based on items 4 and 5 of the request to participate form for service contracts). The reference period which will be taken into account will be **the last 3 years preceding the submission deadline.**
 - **Criterion 1:** the candidate has, during the current year and the previous two years, on average, at least: 38 personnel directly employed or otherwise legally contracted on a permanent or non-permanent basis in areas of specialist knowledge related to this contract.
 - **Criterion 2:** the candidate is not subject to professional conflicting interests which may

negatively affect contract performance. The presence of professional conflicting interests shall be examined on the basis of the statements made through the Declarations on Honour and, where applicable, the statements and other documents submitted.

- **Criterion 3:** the candidate has the regulatory capacity and professional certificate appropriate to this contract issued by the competent authorities separately for Somalia and Puntland, such as valid private security company operating licences and commercial licenses (or equivalent),

Licences mentioned in criterion 3 above, must be valid at the deadline submission of Request for participation.

- **Criterion 4:** valid firearms licences issued for the sites involved in the mission's operations and by the competent authorities of the place of performance of the contract, separately for Somalia and Puntland

Licences mentioned in criterion 4 above, must be valid at the deadline submission of Request for participation.

3) Technical capacity (based on item 6 of the request to participate form for service contracts).

Criterion:

- The candidate has completed services under at least **1 contract** implemented at any moment during the last **four years** before submission deadline.
- For each contract, the value of the services completed must not be less than **3,500,000 EUR**.
- The completed services are in the domain of Security services.

This means that the contract the candidate or tenderer refers to could have been implemented at any time during the indicated period but it does not necessarily have to be completed during that period, nor implemented during the entire period. Candidates or tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects partially implemented during but not yet completed within the reference period. Only the part completed during the reference period will be taken into consideration. This part will have to be supported by documentary evidence (approval of report or deliverable, proof of payment, statement or certificate from the entity which awarded the contract) also detailing its value. If a candidate has implemented the project in a consortium, the part that the candidate has successfully completed must be clear from the documentary evidence (such as consortium agreement and bank transfers between consortium members), together with a description of the nature of the services provided/supplies delivered.

Additional comparative criteria

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the request to participate of these candidates will be re-examined in order to rank them and identify the 8 best requests to participate for the tender procedure. The only additional comparative criteria that will be taken into consideration during this re-examination, in the order in which they appear below, are:

- **Criterion 1:** the highest number of contracts under which services have been completed that meet the technical capacity criterion;
- **Criterion 2:** the highest cumulated value of completed services that meet the technical capacity criterion.

Additional comparative criterion No 1 shall be applied to all the eligible candidates that meet the selection criteria. If, after applying additional comparative criterion No 1, it is not possible to

identify the 8 best candidates because two or more candidates are tied for the 8th position, additional comparative criterion No 2 shall be applied only to these tied candidates.

17. Award criteria

Best price-quality ratio.

PARTICIPATION

18. Requests to participate format and details to be provided

Requests to participate must be submitted using the request to participate form, the format and instructions of which must be strictly observed. The request to participate form is available from the following Internet address:

<https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes>

The request to participate must be accompanied by a declaration on honour on exclusion and selection criteria using the template available from the following Internet address:

[https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA\(Ch.2\):General](https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA(Ch.2):General)

Any documentation (brochure, letter, etc.) sent with a request to participate in addition to what has been requested will not be taken into consideration.

19. How requests to participate may be submitted

They must include the requested documents in paragraph 18 above and must be sent via e-mail to the following address: tenders@eucap-som.eu following carefully the instructions set out in Point 18 above.

20. Deadline for submission of requests to participate

The time-limit for receipt of requests to participate is indicated in the contract notice.

A request to participate received after the time-limit for receipt of requests to participate will be rejected.

Candidates must ensure that their submitted requests to participate contain all the information and documents required by the contracting authority at the time of submission as set out in the procurement documents.

21. Clarifications on the contract notice

Any request for additional information must be made in writing, up to 21 days before the deadline for submission of tenders, specifying the publication reference and the contract title, to the following email address: tenders@eucap-som.eu.

The contracting authority has no obligation to provide clarification on questions received after this date.

Any tenderer seeking to arrange individual meetings with the contracting authority and/or the government of the partner country and/or the European Commission concerning this contract during the tender period may be excluded from the tender procedure.

No information meeting or site visit is foreseen.

22. Outcome of the evaluation

By submitting a request to participate candidates accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the request to participate form.

23. Alteration or withdrawal of requests to participate

Candidates may alter or withdraw their requests to participate by written notification prior to the deadline for submission of requests to participate. No requests to participate may be altered after this deadline.

The written notification must be sent to the following e-mail address tenders@eucap-som.eu. The e-mail Subject must mention 'Alteration' or 'Withdrawal' as appropriate.
