

IN VIEW OF

FILE EX-2023-50139347-APN-DGI#EA, initiated by the ARGENTINE MILITARY ATTACHE'S OFFICE IN THE USA, regarding the "ACQUISITION OF ELCAN SPECTER DR 1-4X DUAL ROLE OPTICAL SIGHT FOR 7.62MM RIFLE", and

WHEREAS

The Argentine Military Attaché's Office in the U.S.A. has administered the procedures for the Public Bid # 84/137-005-LPU23 for the "ACQUISITION OF ELCAN SPECTER DR 1-4X DUAL ROLE OPTICAL SIGHT FOR 7.62MM RIFLE".

The procedures are framed within the guidelines described in Section 25, Sub- Paragraph a) Part 1, from Delegated Decree #1023/01 and Section 10 from Regulatory Decree # 1.030/16.

The Special Order #1133/CQ/18, issued by the CHIEF OF THE GENERAL STAFF OF THE ARGENTINE ARMY, states the procedures that will govern the acquisition of goods and hiring of services abroad.

By RESOL-2023-1391-APN-JEMGE#EA dated 12JUN23, the Selection Procedure was authorized and the Specification sheet, with its annexes, governing the current bid, was approved.

On June 26, 2023, the request was published in The Washington Post newspaper and on the AMA USA website.

On June 26, 2023, the current Selection Procedure was disseminated on the Electronic Public Procurement Portal (COMPR.AR).

On June 26, 2023, suppliers in the field were invited to participate in this contractual event.

The current selection procedure was published in B.O.R.A. on June 26 and 27, 2023.

On July 24, 2023, at 09:00 AM, the opening event took place, and no bids were received.

On August 24, 2023, the transfer from the Acquisitions Operational Unit to the Transitory Evaluation Committee was carried out for their assessment.

Likewise, it is important to highlight that this Evaluation Committee performed its duties within the country, without translators who can facilitate the analysis of the bids. Samples of the products were not available, either. Even though samples were not requested in the Terms and Conditions or Technical Specifications of the contractual act these are useful for a better evaluation. In that regard, the possibility to be in the acquisition country (Argentine Military Attache's Office in the U.S) turns into a more appropriate and more organized bid evaluation, namely:

- As per Section 67 from Decree 1030/16 "National Contracting Administration Guidelines", the Evaluation Committee might request the bidders to rectify mistakes or

omissions by submitting the corresponding documents to the Acquisitions Operational Unit at the Argentine Military Attaché's Office in the U.S., within THREE (3) days.

- Section 70 from Decree 1030/16 "National Contracting Administration Guidelines" reads that in the event of a bid tie a place for a public draw shall be determined; said draw shall be performed in the presence of the interested parts.

That this contract complies with the criteria established in Minutes issued by the ONC IF-2016-03063907-APN-ONC#MM, on November 8, 2016. Said document reads that for the selection procedures carried out abroad the provisions of the Regulation approved by Decree No. 1030/16 and the complementary regulations dictated accordingly with the adaptations that are pertinent as per the uses and customs of the place of execution of the contract, may be applied if they were not incompatible with the general principles of articles 1 and 3 of Delegate Decree No.1023/01.

The intervention of this *Transitory Evaluation Committee* takes place for the purpose of performing the instructed by the CHIEF OF THE GENERAL STAFF OF THE ARGENTINE ARMY, on his Special Order #1133/CQ/18 (Manual for Selection procedures and contracts performed abroad) and the decision instructed by RESOL-2023-857-APN-JEMGE#EA.

In consequence,

THE TRANSITORY EVALUATION COMMITTEE

RECOMMENDS:

SECTION 1º Approve Public Bid No. 84/137-005-LPU23, processed by the Argentine Military Attaché in the UNITED STATES OF AMERICA for the "ACQUISITION OF ELCAN SPECTER DR 1-4X DUAL ROLE OPTICAL SIGHTS FOR 7.62 MM RIFLE", in accordance with the provisions of Article 25, Section a), Subsection 1 of Delegated Decree No. 1,023/01, and Article 10 of Regulatory Decree No. 1,030/16.

SECTION 2º Declare this contractual act NULL & VOID, in accordance with Article 11, Section c) of Delegated Decree No. 1023/01 and in line with what has been stated in the foregoing considerations.

SECTION 3º Submit the current file to the Acquisitions Operational Unit, at the ARGENTINE MILITARY ATTACHÉ's OFFICE IN THE U.S., for its corresponding administrative procedures.

Digitally Signed by GDE
on 2023 August 25, 2023, 09:45:16 -03:00

1st Lieutenant Gonzalo TOLABA ALVAREZ
Chief of Division
Materiel General Directorate
Argentine Army

Digitally Signed by GDE
on 2023 August 25, 2023, 09:46:45 -03:00

JUAN SAMUEL DIAZ
Colonel
Materiel General Directorate
Argentine Army

Digitally Signed by GDE
on 2023 August 25, 2023, 09:54:45 -03:00

Colonel NESTOR ALFREDO HUGO CASTAGNE
Army Contracting Evaluation Committee
Argentine Army