



Argentine Republic – National Executive Power
1983/2023 – 40 Years of Democracy

Number: RESOL-2023-2307-APN-JEMGE#EA

City of Buenos Aires
Monday September 25th, 2023.

Reference: Public Bid #84/137-009-LPU23, “Acquisition of Light Machine Gun, Cal 7.62 mm”.

In view of File EX-2023-57533813- -APN-DGI#EA, and

CONSIDERING:

That the Acquisitions Operational Unit of the Argentine Military Attaché’s Office in the USA executed a contractual act as per Special Order # 1133/CQ/18 (Manual of Selection and Contracting Procedures for Activities Abroad) for a Public Bid abroad regarding the ACQUISITION OF LIGHT MACHINE GUN 7.62 MM.

That the procedure is framed within Article 25, sub section a), section 1 from Delegated Decree #1.023/01 and Article 10 from Regulatory Decree #1.030/16.

At place order 39 & 41 (RESOL-2023-69163365-APN-JEMGE#EA / IF-2023- IF-2023-89770641-APNDGI#EA-APN-DGI#EA) there is the authorization issued by Chief of the General Staff of the Argentine Army, which allows to execute the current contractual act, approving the Specification Sheet, the Technical Specification #20/TEC/23 and its corresponding Annexes, in both languages: Spanish & English.

At place order #42 and #43 (IF-2023-89771920-APN-DGI#EA / IF-2023-89775474-APN-DGI#EA) is documented the Model Specification Sheet and its corresponding Annexes (Spanish & English version).

At place order #47 (IF-2023-89781162-APN-DGI#EA) is documented, according to note IF-2023-89781162-APN-DGI#EA, the proper newspaper publication on THE WASHINGTON POST.

At place order #48 (IF-2023-89783019-APN-DGI#EA) is documented, according to note IF-2023-89783019-APN-DGI#EA, the proper publication on the COMPR.AR.

At place Order #49 is documented, according to IF-2023-89784208-APN-DGI#EA, the posting of this contractual act on the Argentine Military Attaché’s Office’s website.

At place order #50 is documented, according to note IF-2023-89787636-APN-DGI#EA, the roster of the companies invited to bid, and their corresponding invitations.

At place order #51 is documented, according to IF-2023-89789879-APN-DGI#EA, the proper publication on the BORA – *BOLETIN OFICIAL DE LA REPUBLICA ARGENTINA* (Official Legal Gazette of the Argentine Republic).

At place order #53 is documented, according to IF-2023-89797508-APN-DGI#EA, the corresponding Opening Act Certificate, both in Spanish and in English, showing the submission of 01 (ONE) bid proposal from FN HERSTAL S.A. with its corresponding attached documents.

At place order #54 is documented, according to IF-2023-89799416-APN-DGI#EA, the corresponding Comparative Chart issued by the Acquisitions Operational Unit, both in Spanish and in English.

At place order #68 and #69 (IF-2023-91721259-APN-DGI#EA / IF-2023-91721706-APN-DGI#EA) is documented the proper Listing of Ineligible Firms and Individuals issued by the World Bank, corresponding to the participating bidder of this contractual act, in English & Spanish.

At place order #70 and #71 (IF-2023-91720117-APN-DGI#EA / IF-2023-91720729-APN-DGI#EA) is documented the proper Listing of Ineligible Firms and Individuals issued by the Inter-American Development Bank, corresponding to the participating bidder of this contractual act, in English & Spanish.

At place order #72 (IF-2023-94812262-APN-DGI#EA) is documented the proper Technical Report, issued by the Technical Expert appointed by the Chief of the General Staff of the Army by means of Resolution RESOL-2023-857-APN-JEMGE#EA, which reads that the bid proposal submitted by the commercial firm FN HERSTAL S.A., for lines 1 and 2, does technically comply with the requirements of Technical Specification # 20/TEC/23.

At place order 73 & 75 (IF-2023-94900408-APN-DGI#EA / IF-2023-98895598-APN-DGI#EA) the Transitory Evaluation Committee to the Argentine Military Attache's Office in the USA issued the proper Bid Evaluation Minutes, in Spanish & English, which recommends:

1- APPROVE PUBLIC BID # 84/137-009-LPU23 REQUIRED BY THE MATERIEL GENERAL DIRECTORATE, for the "ACQUISITION OF MACHINE GUN CLASS: LIGHT, CALIBER 7.62 MM", as per Section 25, Sub- Paragraph a) Part 1, from Delegated Decree #1023/01.

2- AWARD, as per Section 3 a) (Delegated Decree #1023/01) lines 1 & 2, from the contractual act to the commercial firm FN HERSTAL S.A., for a total amount of U.S. DOLLARS ONE MILLION FOUR HUNDRED TWENTY THOUSAND NINE HUNDRED FIFTY THREE WITH 26/100 (USD 1.420.953,26).

3- 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 (proper translation into English of this Minutes).

At place order 76 (IF-2023-98896912-APN-DGI#EA), the Bid Evaluation Minutes was communicated to the offeror, in both languages.

At place order 82 (IF-2023-102546885-APN-DGI#EA), there appears the Minutes issued by the Principal Legal Advisor, appointed by the Chief of the General Staff of the Argentine Army by means of RESOL-2023-857-APN-JEMGE#EA.

At place order 85 NO-2023-100899675-APN-DGI#EA, there appears the Payment and Credit Request (Commitment & Accruals).

At place order 91 (IF-2023-108136774-APN-CECE#EA) there appears the Legal Advice document, issued by the Legal Department of the ARMY'S CONTRACTING EVALUATIONS COMMITTEE.

At place order 93 (NO-2023-107878918-APN-DGCI#EA) there appears the communication of Payment and Credit Availability (Commitment & Accruals) issued by the Materiel General Directorate.

At place order 94 (PV-2023-108414092-APN-CECE#EA) the ARMY'S CONTRACTING EVALUATION COMMITTEE forwarded the current file to the Argentine Military Attache's Office in the U.S.A., with the purpose of rectifying the observations made by the Legal Department.

At place order 97 (IF-2023-111772388-APN-DGI#EA) it is attached the Note addressed to the commercial firm FN HERSTAL S.A. requesting to disregard the terms which were conditioning the bid proposal, in both languages.

At place orders 98 & 99 (IF-2023-111780846-APN-DGI#EA / IF-2023-111783324-APN-DGI#EA) there appear the proper answer issued by the commercial firm rectifying the observations made by the Legal Department, in English & Spanish.

At place order 101 (PV-2023-111799575-APN-DGI#EA) there appears the return of the file from the Argentine Military Attache's Office in the U.S.A.

At place order 102 (IF-2023-112069413-APN-CECE#EA) there appears the proper intervention of the ARMY'S CONTRACTING EVALUATION COMMITTEE.

At place order 107 (IF-2023-112310265-APN-DGAJ#EA) there appears the proper intervention of the LEGAL AFFAIR GENERAL DIRECTORATE, by means of Minutes # 409/AL/23.

The undersigned have the authority to issue this Act in accordance with the provisions of Article 11, Subsection c) of Delegated Decree No. 1,023/01 and Article 9 of the Annex to Regulatory Decree No. 1,030/16. This is based on advice received from the ONC in Opinion No. IF-2016-03063907-APN-ONC#MM and in Note NO-2017-14042885-APN-ONC#MM (clarifying the scope of the advice provided in Opinion IF-2016-03063907-APN-ONC#MM), as well as in compliance with Resolution No. 265-E-APN-MD issued by the MINISTER OF DEFENSE on October 4, 2016, and its amendments.

In Consequence,

THE CHIEF OF THE GENERAL STAFF OF THE ARGENTINE ARMY

RESOLVES:

SECTION 1st: To approve Public Bid 84/137-009-LPU23, processed by the Argentine Military Attache's Office in the U.S.A. for the "ACQUISITION OF LIGHT MACHINE GUN, 7.62 mm" as per Article 25, Section a), Sub section 1. From Delegated Decree 1.023/01 and Article 10 from Regulatory Decree 1.030/16.

SECTION 2nd: To award lines #1 & #2 to Commercial Firm FN HERSTAL S.A. for a total amount of US DOLLARS ONE MILLION FOUR HUNDRED AND TWENTY THOUSAND NINE HUNDRED AND FIFTY-THREE WITH 26/100 (USD 1,420,953,26), based on the analysis and subsequent recommendation made by the Transitory Evaluation Committee as expressed in the preceding considerations.

SECTION 3rd: To authorize the Argentine Military Attaché's Office in the USA to issue the corresponding Purchase Order, as per the provisions detailed in Article 75 from Decree #1030/16.

SECTION 4th: To Delegate to the MATERIEL GENERAL DIRECTOR the appointment of the titular and alternate members who will comprise the Reception Committee for the current selection process, in accordance with the provisions of Articles 84 and 85 of Regulatory Decree No. 1,030/16.

SECTION 5th: To Forward this file to the Acquisitions Operational Unit of the Argentine Military Attaché's Office in the UNITED STATES OF AMERICA for the continuation of the corresponding procedure.

Digitally signed by PEREDA Guillermo Olegario Gonzalo
Date: 2023.09.25 17:23:26 ART
Location: Ciudad Autónoma de Buenos Aires

Guillermo Olegario Pereda
Teniente General
Jefatura de Estado Mayor General del Ejército
Ejército Argentino