



ISLAMIC REPUBLIC OF MAURITANIA

Honor – Fraternity – Justice

**Ministry of Agriculture
Mauritanian Sugar and Derivatives Company (COMASUD)**

With the support of

**Ministry of Economy and Sustainable Development
General Directorate of Public-Private Partnerships (PPP)**

PPP Directorate

Prequalification Notice

N°: 001-2024/PPP

PPP Project for an Agro-Industrial Sugar Production Complex in Foum Gleita

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1. Project Context

With an estimated average consumption of around 200,000 tons/year of refined white sugar, Mauritania is ranked among the highest per capita consumers of sugar in the World. To meet this growing demand, the Mauritanian Sugar and Derivatives Company (COMASUD) was established in 2012 to harness the potential of sugarcane cultivation in the Foug Gleita area (southern part of the country). With a capacity of 500 million m³/year, extendable to 1100 million m³, the Foug Gleita dam will secure irrigation water to the area.

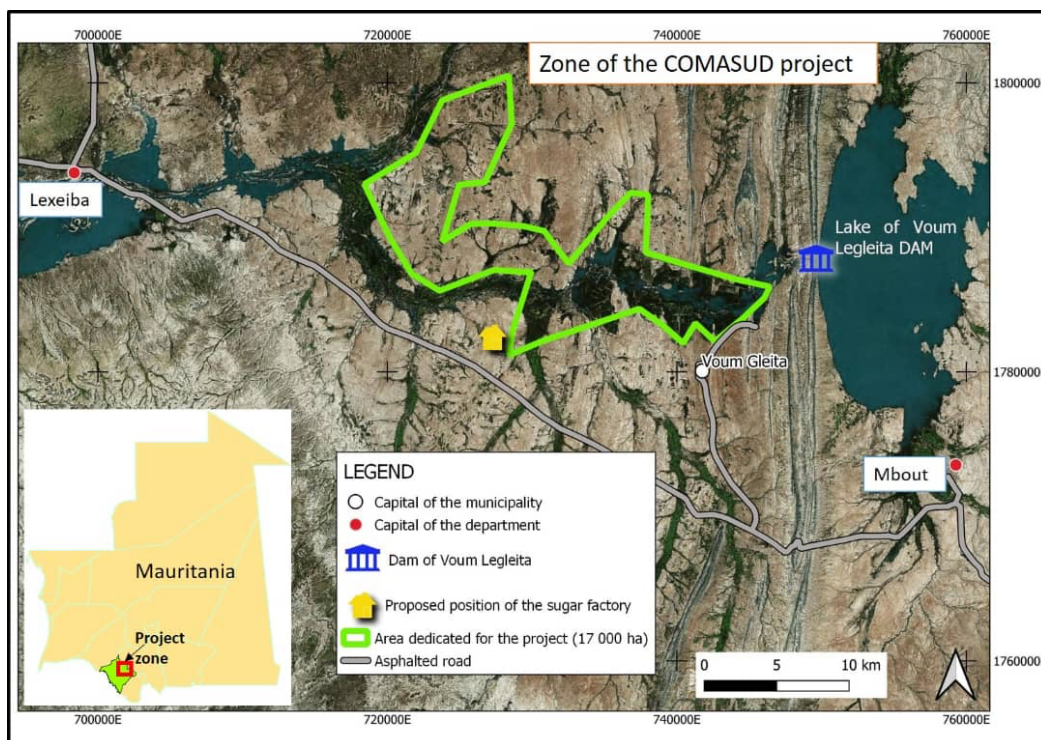
Since its establishment, COMASUD has conducted various technical, economic, and financial feasibility studies and established seed cane nurseries in the project area, the conclusions of which confirmed the feasibility of the project.

In this context, COMASUD, with the support of the Public-Private Partnership Directorate of the Ministry of Economy and Sustainable Development (MEDD), intends to launch a competitive dialogue preceded by a prequalification to select a private operator for the creation and operation, through a Public-Private Partnership, of an Agro-Industrial Sugar Production Complex in Foug Gleita.

2. Project overview

The agro-industrial sugar production complex project will cover a total land area of 17,000 hectares. It includes the following two components:

- (i) **an agricultural component** including the establishment of an efficient irrigation system and the production of sugar cane on an irrigated area of 8,000 hectares and,
- (ii) **an industrial component** which includes the installation of a factory with a capacity of 5,000 TC/day, which will produce approximately 106,000 tons of refined white sugar per year. The production of electricity and various derivatives (ethanol, livestock feed, fertilizers, etc.) is also planned



3. Scope of the private operator

The holder of the PPP contract will be in charge of the design, financing, construction, operation and upkeep and maintenance of the project.

4. Type of PPP

A concession type PPP has been selected for the implementation of the Project. The PPP contract will have a duration of thirty (30) years.

The PPP contract holder will be authorized to technically and commercially operate both components of the project. The contract holder will be paid from the revenues generated by the sale of sugar and its byproducts.

The holder of the PPP contract shall constitute a Special Purpose Vehicle (SPV), which will be incorporated under Mauritanian law. The SPV will be formed for the sole purpose of the project

5. Tender procedure

The tender procedure will be conducted through a prequalification phase followed by a competitive dialogue, in accordance with the provisions of article 18 of Law 2017-006 amended by Law 2021-006 (known as the “modified PPP law”) and its implementing decree no. 2021-115 of June 30, 2021. The terms of the competitive dialogue will be detailed in the Request for Proposal, that will be shared with the prequalified bidders.

The award procedure will be carried out by a “Dialogue Committee”, composed of representatives from the Ministry of Agriculture, COMASUD and the PPP Directorate of the Ministry of the Economy and Sustainable Development. This Committee will evaluate the offers and lead discussions with the prequalified bidders on all aspects of the project. The Committee commits to preserve the confidentiality of documents and debates and to respect the principle of equal treatment of all bidders.

6. Rules of the tender procedure

The same legal entity cannot submit several applications while acting both as an individual candidate or as a member of one or more tendering groups.

No less than four (4) and no more than eight (8) eligible candidates will be prequalified. If the minimum number of candidates is not shortlisted, it may be decided to continue the procedure with only the prequalified candidates.

Prequalified candidates will be invited to submit technical and financial offers under the conditions and according to the modalities which will be indicated in the Request for Proposal.

Only the candidates that will be shortlisted under this prequalification procedure will be able to participate in the competitive dialogue that is planned to award the PPP contract.

The terms of the competitive dialogue and the number of phases will be detailed in the Request for Proposal that will be sent to the prequalified candidates.

The representative of a tendering group cannot be changed between the prequalification stage and the competitive dialogue. The conditions under which members of a tendering group could be changed throughout the procedure will be specified in the Request for Proposal.

The Dialogue Committee will engage discussions with the shortlisted candidates on the basis of the offers that they will submit, under conditions of strict equality and confidentiality.

The Contract will be awarded to the most economically advantageous offer, that will be assessed according to the criteria that will be set out in the Request for proposal.

7. Application form

COMASUD invites all candidates that possess the technical and financial capabilities to express their interest in carrying out the Project. The application form must include, under penalty of exclusion of the application, all of the following information and documents for each individual candidate, or each member of the group in the case of an application in the form of a tendering group. The application file shall follow the nomenclature that is detailed below, clearly distinguishing each section and each sub-section and repeating the order of classification:

A.0. An application letter containing the email and telephone number of the person that is authorized to represent the candidate/tendering group, in accordance with the model in Appendix 1.

A.1. A presentation note of the Candidate indicating:

A.1.1. The identity, status and domicile of the Candidate as well as telephone numbers, email address, and if it is a company, its name, company name, legal form, share capital, the address of its registered office, as well as the capacity of the Candidate in which it acts and the powers conferred on it;

A.1.2. The registration number in the trade register, the affiliation number with the national social security fund or other social security organization for candidates that are established in Mauritania. For foreign companies, a certificate of registration in the trade register and a certificate of non-bankruptcy produced by the competent administration of the country;

A.1.3. A declaration indicating the material, technical equipment and tools available to the candidate for carrying out contracts of the same nature. In the case of subcontracting, indicate the material, technical equipment and tools available to the subcontractor for carrying out contracts of the same nature (10 pages maximum);

A.1.4. The human resources and operational organization that the Candidate intends to implement for the completion of all components of the Contract (3 pages maximum);

A.1.5. In the event of a tendering group, the note must also explain the reasons for choosing the composition of the group.

A.2. A unique certificate from the Candidate in which it certifies:

A.2.1. that it will cover, within the limits and conditions set in the functional program, by an insurance policy, the risks arising from their professional activity;

A.2.2. that it is in a regular situation with the national social security fund or with a special social security scheme;

A.2.3. that it is in a regular situation with the tax administration;

A.2.4. that it is not in judicial liquidation or receivership, and if in receivership, that it is authorized by the competent judicial authority to continue the exercise of its activity;

A.2.5. that it commits not to resort, by itself or through an intermediary, to risks of fraud or corruption of

persons who intervene in any capacity whatsoever in the various procedures for awarding public-private partnership contracts and their management and execution;

A.2.6. that it is not in a conflict-of-interest situation;

A.2.7. that it certifies the accuracy of the information contained in the sworn declaration and in the documents provided in their application form.

B.1. A legalized copy of the constitutive agreement of the group in the case of offers presented by a tendering group.

C.1. Information regarding professional capabilities

The relevant references of the candidate or the tendering group in terms of carrying out similar projects, in particular:

C.1.1. In terms of creation and management of agro-industrial complexes, particularly in the sector of sugar production and its byproducts:

1. Design and construction of sugar plants. The candidate will specify its role in the project that is related to reference (project owner, project manager and/or constructor);
2. Development and operation of agricultural areas, particularly in terms of irrigation and sugar cane planting;
3. Technical and commercial operation of agro-industrial complexes, particularly in the sector of sugar production and its co-products;

C.1.2. Regarding the execution of PPP projects (concessions or with public payment).

Applicants must provide for each reference a certificate of satisfactory execution from the project owner, both public or private, with the precise contact details of the project manager. Projects not certified by the project owner will not be evaluated. Certificates in foreign languages (i.e. other than Arabic or French) must be translated by an approved translator. In the event of translation, the original certificate of satisfactory execution must be presented with the translated version. Otherwise, the related reference will not be evaluated.

D.1. Information concerning the economic and financial capacities of the Candidate:

D.1.1. The financial statements (income statements and balance sheets) for the last four financial years (2019, 2020, 2021 and 2022) audited and certified by an approved chartered accountant/auditor. In the event of a tendering group, each member must present its own audited and certified financial statements.

Financial statements that are not certified by an accountant/auditor will not be evaluated.

D.1.2. A valid insurance certificate demonstrating coverage for professional risks.

8. Prequalification criteria

Candidates will be shortlisted according to the following criteria:

▪ Candidate's experience (50 points) in terms of:

- Design and construction of sugar plants;
- Development and operation of agricultural areas, particularly in terms of irrigation and sugar cane planting;
- Technical and commercial operation of agro-industrial complexes, particularly in the sector of sugar production and its byproducts;

Note 1:

- Applicants must indicate the technical characteristics of the agro-industrial complexes that they have designed, built or subcontracted, including dimensions, production capacity, types of technologies used, resource management (water, energy, etc.), automation systems, industrial processes, etc.
- With regard to technical and commercial operation, candidates must specify the nature of the services they provided (upkeep, maintenance, Maintenance and Renewal, etc.) as well as their cost control strategy and commercial strategy.

▪ Experience in Public-Private Partnership projects (20 points)

- Execution of PPP projects (concessions or with public payment), in particular in the financing of PPP projects.

Note 2:

- For references relating to PPP projects, candidates will be required to indicate the date of signature of the contract, the cost of the project, the services they have carried out within the framework of the project as well as the services they are required to carry out until the expiry of the duration of the PPP contract.

▪ Economic and financial capacity of the candidate (30 points):

- Financial capacity of the candidates, in particular according to the key financial ratios.
- Ability to mobilize financing for private agro-industrial investments.

Note 3:

- Regarding the ability to mobilize financing for private agro-industrial investments, candidates will be required to present certificates from the banks or investment funds that have financed the project.

Only candidates who have obtained an overall score above 60 points will be shortlisted.

9. Situations of exclusion or incompatibility

Candidates (including each member of the tendering group) finding themselves in one of the following situations will not be shortlisted:

- Persons in compulsory liquidation or receivership, unless special authorization is issued by the competent judicial authority.
- Persons who are subject to one of the prohibitions or disqualifications provided for by the laws in force, in particular the penal code, the general tax code, the labor code and the social security law.
- Persons in an irregular situation vis-à-vis a tax or social administration who have not submitted their declarations and paid the final amounts due or in the absence of payment, constitute guarantees deemed sufficient by the public accountant responsible for the recovery in accordance with the legislation in force regarding the recovery of public debts.
- People in an irregular situation with regard to the national social security fund or with a special social security scheme.
- Persons likely to be subject to a conflict of interest.
- Persons who have been the subject of a decision of temporary or definitive exclusion because they have been found guilty of an offense by a court decision in criminal, tax and social matters or by a decision of the regulatory authority public procurement. The exclusion also applies to legal entities managed or whose share capital is majority owned by persons mentioned in this paragraph.
- Persons who represent more than one candidate

It is specified that companies can justify that they are not affected by a case of incapacity or exclusion through the administrative documents that are requested in the application form.

10. Rights of the Contracting Authority

COMASUD reserves the right to cancel the prequalification procedure and reject all applications without thereby incurring any liability towards the candidates.

The contracting authority reserves the right at any time, before the submission deadline, to introduce modifications to this prequalification notice. It will, if necessary, publish a corrective notice without changing the subject of this notice.

11. Submission of applications

Interested candidates shall submit their application form on paper (one (1) original and four (4) copies) and in electronic format (one (1) USB key).

The application forms must be sent **in a sealed and anonymous envelope**, submitted against receipt, no later than **04/15/2024 at 12 p.m. to the Compagnie Mauritanienne de Sucre et Dérivés**, at the following address:

Compagnie Mauritanienne de Sucre et Dérivés

ZRF ND N° 381, Tevragh Zeina Nord,

P.O. BOX : 6515 - Nouakchott, Mauritanie

Tel/Fax. +222 45 24 21 06

E-mail : contact@comasud.mr

The file shall bear the mention: «*À l'attention du comité de dialogue chargé de la passation du contrat de Partenariat Public-Privé du projet de Complexe agro-industriel de Production de Sucre à Foum Gleïta*».

Submission schedule:

- Monday to Thursday: 9 a.m. to 4 p.m.
- Friday: 9 a.m. to 12 p.m.

Candidates are informed that:

- **In case of discrepancies between the copies and the original, the original will prevail.**
- **Application forms which are not anonymous and which bear a distinctive sign that can identify the candidate will be rejected.**
- **Application forms that are transmitted electronically will be rejected.**
- **Application forms that have been submitted cannot be withdrawn.**
- **Application forms that are submitted or received after the day and time set for the opening of candidates' application forms will be rejected.**

All information and documents that will be provided by candidates must be in Arabic or French. Information may be provided in another language, but it must be accompanied by a certified translation.

12. Opening of application forms

The opening of application forms will be organized on **04/15/2024 at 12 p.m.**, and will be chaired by the president of the dialogue committee at the following address:

Compagnie Mauritanienne de Sucre et Dérivés

ZRF ND N° 381, Tevragh Zeina Nord,

P.O. BOX : 6515 - Nouakchott, Mauritanie

Tel/Fax. +222 45 24 21 06

Representatives of the candidates will be able to attend the opening of the application forms.

A report on the opening of the application forms will be prepared by the Dialogue Committee and will be published on the COMASUD website as well as the website dedicated to Public-Private Partnerships in Mauritania.

13. Appeal procedure

After analyzing the applications forms, COMASUD will publish the names of the shortlisted candidates on the websites referred to in article 16 below. Prequalified candidates will then be invited to present their technical and financial offers.

Any unsuccessful candidate who notices a breach of the fundamental principles of public procurement may lodge an appeal with the Dispute Resolution Commission of the Public Procurement Regulatory Authority

(ARMP).

The appeal before the ARMP Dispute Resolution Commission is made within fifteen (15) days following notification of the rejection of the candidate's offer. The Commission will rule within a period not exceeding thirty (30) days.

The decision of the Dispute Resolution Commission may be appealed before the competent administrative court. The appeal before the court is not suspensive.

14. Application fees

Each candidate shall bear all costs related to the preparation of their application form.

15. Communication, queries regarding the tender procedure

Candidates shall address all queries regarding this tender procedure no later than 04/01/2024 by email to:

contact@comasud.mr

info@ppp.mr

Queries that are not made by email and to all the addresses indicated above will not be processed by the administration. Queries must be communicated in Arabic or French.

The questions and answers will be anonymized and published on the websites: www.comasud.mr and www.ppp.gov.mr

16. Publication

This notice has been published on the following websites:

www.comasud.mr

www.ppp.gov.mr

www.beta.mr

www.dgmarket.com

Appendix 1: Application letter template

[letterhead of the Candidate indicating his postal address, telephone numbers and email address]

Date:.....

To: Mr. President of the dialogue committee in charge of the award of the PPP contract relating to the PPP Project for the agro-industrial sugar production complex in Foum Gleita

Subject: Prequalification Notice relating to the public-private partnership contract for the agro-industrial sugar production complex project in Foum Gleita

Sir,

We, the undersigned, _____ duly authorized to act as representatives of the candidate/tendering group (hereinafter referred to as “”), hereby declare that we are applying to be prequalified as bidders under the Public Partnership project -private referred to in reference.

We declare that we have read the prequalification notice concerning the said Public-Private Partnership and present herewith all the documents requested therein.

These documents are complete and true, which we hereby certify.

We hereby authorize the dialogue committee to carry out any research or investigations intended to verify the declarations, documents and information provided as part of this application.

By applying:

- a. We declare that we accept the terms of the prequalification notice;
- b. We meet all eligibility criteria:
 - o We have the legal capacity to enter into a contractual commitment;
 - o We are not insolvent, nor in receivership, nor in liquidation of assets, nor in bankruptcy, nor subject to a temporary or definitive measure prohibiting us from participating in public orders in our country of origin or in Mauritania.
 - o More particularly, we certify on our honor that we are not in any of the situations of incompatibility or exclusion which are referred to in article 9 of the prequalification notice.
- c. We declare that all documentation and information that we have communicated to the State as part of this prequalification procedure is accurate and truthful;
- d. We declare that we are informed that the offers made by pre-qualified candidates will be subject, when they are submitted, to verification of the information provided as part of the pre-qualification;

- e. We accept that the dialogue committee reserves the right to cancel the prequalification procedure and reject all applications without thereby incurring any liability towards the candidates.

The documents attached to this letter of application are as follows :[...]

[...]

[...]

[...]

[...]

The undersigned certifies that the statements and information provided in this application form are complete, authentic, true and correct in all respects.

Name and position of the person authorized to represent the candidate/group	
Email and telephone number of the person authorized to represent the candidate/group	
Signature of the person authorized to represent the candidate/group	