



*ACSE/ URBACT II Operational Programme (2007-2013)*

**CONTRACT N ° 2013 URB 04 28**

**EX-ANTE EVALUATION OF THE URBACT III PROGRAMME**

**CONSULTATION RULES (CR)**

**PUBLIC BUYER:**

**Agence Nationale pour la Cohésion Sociale et l'Égalité des Chances (Acsé)**  
A National Public Institution of an Administrative Nature  
209 - 211, rue de Bercy - 75585 - Paris Cedex 12

REPRESENTED BY MRS LAURENCE GIRARD, MANAGING DIRECTOR OF ACSÉ

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## **ARTICLE 1 : PURPOSE OF THE CONTRACT**

The purpose of this contract is to carry out *ex ante* evaluation of the URBACT III interregional programme (2014-2020 programming period) in the framework defined by the Community regulations.

## **ARTICLE 2: PROCEDURE AND FORM OF CONTRACT**

### **2.1 Procedure and form of contract:**

This is a service contract entered into according to an adapted procedure in conformance with article 28 of the Public Procurement Contracts Code.

It is a single contract at a set price.

## **ARTICLE 3: CONTRACT PERIOD – EXECUTION DEADLINE**

The total contract period is 18 months as of its contractor notification date. The execution deadline depends on the operational programme drafting schedule (see Article 7 of the CCP)

## **ARTICLE 4: CONDITIONS FOR TENDERING**

### **4.1 Consortia**

Companies can apply as a consortium with several or joint liability. In the latter case, the contractor must be a severally liable representative of the jointly liable consortium.

**4.2 Variants:** Candidates are not authorised to present variants.

### **4.3 Language(s) that can be used in the tender or the request to participate:**

English, French

## **ARTICLE 5: COMPETITIVE PROCUREMENT – CONTENT OF THE ENQUIRY DOCUMENTS**

Competitive procurement is done through a public notice of competitive tendering in **BOAMP** and **JOUE**, of an advertisement on the Acsé Website ([www.lacse.fr](http://www.lacse.fr)), on the procurer profile ([www.achatpublic.com](http://www.achatpublic.com)), on the Urbact Website ([www.urbact.eu](http://www.urbact.eu)) and on other specialised websites, if necessary.

The tender enquiry documents include the following:

- These enquiry rules (ER);
- These special terms and conditions (CCP);
- The commitment document (C3);
- The CERFA answer forms (DC1, DC2, Power of attorney).

CERFAs can be downloaded from several websites, notably:

[http://www.minefe.gouv.fr/themes/marches\\_publics/formulaires/index.htm](http://www.minefe.gouv.fr/themes/marches_publics/formulaires/index.htm)

(Non-required national forms for public procurement contract candidates)

## ARTICLE 6: CONDITIONS FOR OBTAINING THE TENDER ENQUIRY DOCUMENTS

The tender enquiry documents can be downloaded from the following procurer profile website: [www.achatpublic.com](http://www.achatpublic.com); then go to the "companies" space (heading: go to the contracts site) and then indicate the enquiry reference number: **2013 URB 04 28** in the main window entitled "search criteria", and finally, click on search and then click on the window that appears with the contract title.

In case of difficulties downloading, candidates may contact the Procurement, contracts and legal affairs division by e-mail ([scpc@lacse.fr](mailto:scpc@lacse.fr)) by clicking on the enquiry reference number: **2013 URB 04 28**.

In addition, the call for competitive tendering can be downloaded from the Acsé website ([www.lacse.fr](http://www.lacse.fr) / heading: "contracts" under the heading "in progress" under reference **2013 URB 04 28**).

## ARTICLE 7: CONTENT AND PRESENTATION OF TENDER DOCUMENTS

The candidate's documents and tender documents must be signed by the **legal representative** of the candidate's organisation. If there is another signatory, a formalised power of attorney must be attached.

In addition, candidates are requested not to send bound documents, in order to facilitate their numerisation. They can be stapled, placed in a file, folder or document holder without binding.

**Candidates are required to provide a digital version of their application documents and tender documents.**

The dossier should contain the following:

### **A/ Application file**

This application file should contain the following administrative documents according to Articles 43 to 45 of the Public Procurement Contracts Code and the decree of August 28, 2006:

- An **application letter** signed by the legal representative of the organisation (please use the attached Cerfa **DC1** form);
- A **copy of the last ruling in case of receivership**;
- A **candidate's declaration** duly filled out and signed (please use the attached Cerfa **DC2** form);
- A **presentation to enable the evaluation and determination of the candidate's capacity**:

The candidate should indicate his *professional, technical and financial capacities*.

For this purpose, he should indicate his last 3 annual turnovers and attach any documentary proof of his technical and professional competences the purpose of the contract, to his DC2 form (technical, human, material, etc. means) as well as his experience and detailed references (year, sponsor, amount, subject).

NB: If the candidate does not have the required references, he may present any equal means of proof of an adequate level of professional competence to execute the contract.

These documents enable the verification of the admissibility of applications

## **B/ Tender documents**

These include the following documents:

**7.1 The commitment document duly filled out, dated and signed** (please use the attached Cerfa **DC3** form), notably including the name and function of the signatory authorised to commit the company legally and financially;

The candidate indicates a **valid** fax number and/or e-mail address for all correspondence (page 2 of the commitment document).

Under the heading "contract amount" in the commitment document (page 3 of the commitment document) the candidate shall indicate the set amount of the contract.

These prices are considered to include all the services required in the CCP.

Candidates who are not subject to VAT should indicate by virtue of which text they are exempt.

**7.2 The presentation of the technical offer in English, dated and signed** which should include the following elements below:

- The candidate should comply with the provisions described in the CCP.
- The candidate shall propose the methodology considered most adequate for evaluating the questions and subjects listed in Article 6 of the CCP "Expected services/Evaluation content", in a memo. The proposal should include a clear description of a range of methods and tools to be used, such as literature review, interviews, focus groups, peer reviews, workshops, and participative approaches.

The *ex-ante* evaluation should be considered as an interactive process between the evaluator and the different parties involved in the programming. In particular, the methodologies envisaged should take into consideration the required coordination with the evaluator(s) in charge of the programming.

- A presentation of the team of evaluators and the project manager (CV and references): competences, qualifications and experience of the persons invested in the project as well as the distribution of assignments among the different intervening parties.

According to the required qualifications the presented team of evaluators and the project manager should:

- Be functionally independent; Article 47 (3) of the draft CPR;
- Have an understanding of the countries participating in the programme, including knowledge and experience in the geographical area and thematic fields of intervention of the programme;
- Have a solid knowledge of cohesion policy and ETC-related EU regulatory and policy framework;
- Proven experience of evaluation of ETC programmes or operations of a similar scope and nature;

- Have the ability to judge the quality and appropriateness of indicators (assess the relevance of the indicators within the intervention logic, consider the impact of the programme);
  - If possible, have evidence of past experience in impact evaluations, using either statistical or qualitative methods.
- In addition, due to the specificity of the required services and the work schedule, the following capacities shall be assessed:
    - excellent writing and oral communication skills;
    - great capacity to work in a group and with tight deadlines;
    - perfect written and conversational English and, if possible, practical knowledge of French;
    - rigour, organisation and independence;
  - In his memo, the candidate shall also demonstrate his capacity to be responsive and in general his availability for the services covered by the contract.
  - A certificate and declaration by the candidate on his honour, indicating that he and the intended team have no direct or indirect interest that might compromise the required independence of his evaluation work. The URBACT-Acsé Secretariat shall assess the validity of the documents transmitted.
  - A detailed budget (exclusively in Euros) with a breakdown of the proposed set price according to the following elements:
    - Estimation of working time in days per intervening party;
    - Daily wages per intervening party;
    - Travelling costs indicating the number of trips, travellers and the destinations;
    - The total cost exclusive of tax and inclusive of tax;

NB:

- the *ex-ante* evaluation budget is between 50,000 Euros inclusive of tax and 75,000 Euros inclusive of tax, including travelling costs;
- the final *ex-ante* evaluation might require various revisions and modifications. Consequently, the budget should take this possibility into account

**The methods of execution of the services and the prices notably, can be negotiated with the candidate/candidates who presented the best tender.**

**NOTE:**

⇒ **The candidate whose tender is accepted should provide the following documents:**

- For business firms: an "extrait K bis" (proof of registration with the French ROC);  
For associations: a copy of the publication in the OJ created by them;  
For other legal entities: any other document that might prove their legal existence;
- Certificates delivered by the competent administrations and organisations proving that he has met his fiscal and social obligations (Cerfa DC7 can be used) or any *similar documents from a candidate established in another State besides France, under the conditions provided in Article 46 of the Public Procurement Contracts Code*;
- details of a bank or postal account in the candidate's legal name;

NB: For accounts outside of France, the holder should provide the name and address of his bank, his bank account number and the corresponding IBAN and SWIFT/BIC codes,

- the declaration concerning the fight against concealed work (Cerfa DC6).

## **ARTICLE 8: CONDITIONS FOR SENDING TENDER DOCUMENTS**

### **8.1 Sending physical media**

**Candidates are requested not to send bound documents, in order to facilitate their numerisation. They can be stapled, placed in a file, folder or document holder without binding.**

**Candidates who chose to send the documents on a physical media should, nonetheless attach a digital copy (USB flash drive, CDR, etc...).**

Documents are to be presented in a single sealed envelope with the following mentions:

Contract n° 2013 URB 04 28  
**EX-ANTE EVALUATION OF THE URBACT III PROGRAMME**  
Not to be opened by the mail service

**This envelope shall be sent by the Procurements, contracts and legal affairs division (DAMC)**

**by registered letter or Chronopost to:**  
L'Acisé, Tour Paris- Lyon, Secrétariat de la DAMC  
209-211, rue de Bercy - 75585 Paris Cedex 12.  
(16<sup>e</sup> étage Bureaux 1618 -1619)

or

**Delivered against receipt to the same address in the same offices**  
**(Opening hours: 9 am - 12:30 pm and 1:30 pm - 6 pm)**

### **8.2 Electronic transmission**

Since documents can also be transmitted by a dematerialised medium, please see the conditions in Article 14 of these RC.

## **ARTICLE 9: VALIDITY DEADLINE FOR TENDERS**

The deadline for validity is **3 months** as of the deadline for receipt of the dossier.

## **ARTICLE 10: DEADLINE FOR RECEIVING DOSSIERS**

The deadline for receiving dossiers is set for:

**June 24, 2013 at 12 noon**

## **ARTICLE 11: CRITERIA FOR SELECTING TENDERS**

For the choice of the most advantageous economic offer, the following criteria shall be taken into account along with their weighting:

**40 points:** The technical quality of the proposal and the methodological approach proposed and its feasibility;

**40 points:** The capacity and competences of the team proposed;

**20 points:** The financial offer.

## **ARTICLE 12: DETAIL MODIFICATIONS AND ADDITIONAL INFORMATION**

### **12.1 Detail modifications of the DCE**

The public corporation reserves the right to make modifications of details in the tender enquiry document at the latest, six (6) days before the deadline set for receipt of proposals. Candidates should then respond on the basis of the modified document without the possibility of making any claims regarding this subject. This deadline of six (6) days starts as of the day when the modifications are sent.

If, during the examination of the document by the candidates, the deadline set for receipt of dossiers is postponed, the previous provision is applicable according to this new date.

### **12.2 Additional information**

The technical contacts for this contract are:

Acsé, Secrétariat URBACT, 5, rue Pleyel, 93283 Saint-Denis Cedex.

- Mr Emmanuel Moulin, Director - URBACT Secretariat, tel.: 01 49 17 46 02 / e-mail: [e.moulin@urbact.eu](mailto:e.moulin@urbact.eu)

- Mr Thierry Picquart, Administration-Coordination Manager - URBACT Secretariat, tel.: 01 49 17 46 02 / e-mail: [t.picquart@urbact.eu](mailto:t.picquart@urbact.eu).

The administrative contacts for this contract are:

Acsé, SCPC, 209, rue de Bercy, 75585 Paris Cedex 12.

- Mrs Martine Bourcier, Director of procurements, contracts and legal affairs (DAMC) Tel.: 01.40.02.74.12 / fax: 01.40.02.77.14 / e-mail: [scpc@lacse.fr](mailto:scpc@lacse.fr) et [martine.bourcier@lacse.fr](mailto:martine.bourcier@lacse.fr).

- Mrs Lydie Quanbouli, Project Manager at DAMC, Tel.: 01.40.02.73.91 / e-mail: [lydie.quanbouli@lacse.fr](mailto:lydie.quanbouli@lacse.fr).

## **ARTICLE 13: PROCEDURES FOR APPEALS**

Courts responsible for appeals:

Tribunal administratif de Paris, 7, rue de JOUY, 75181 Paris Cedex 04.

E-mail: [greffe.ta-paris@juradm.fr](mailto:greffe.ta-paris@juradm.fr)

Tel.: 01 44 59 44 00. URL: <http://www.ta-paris.juradm.fr>. Fax: 01 44 59 46 46.



Service where information can be obtained concerning the submission of appeals:

Greffe du Tribunal administratif de Paris, 7, rue de JOUY, 75181 Paris Cedex 04.

E-mail: greffe.ta-paris@juradm.fr

Tel.: 01 44 59 44 00. URL: <http://www.ta-paris.juradm.fr>. Fax: 01 44 59 46 46.

## **ARTICLE 14 - ELECTRONIC TRANSMISSION OF DOCUMENTS**

### **14.1 Applicable methods in case of dematerialised transmission of documents**

- For candidates who wish to answer in a dematerialised format (electronic transmission by the procurer profile) and in order to best ensure smooth running of this dematerialised procedure, these instructions should be followed:

- First, the candidate connects to the procurer profile website at the following address: [www.achatpublic.com](http://www.achatpublic.com), then go to the "companies" space (heading: go to the contracts site) and then indicate **the enquiry reference number: 2013 URB 04 28** in the main window entitled "search criteria", and finally, click on search and then click on the window that appears with the contract title. Next, the candidate sends his documents electronically by accessing the heading "answer" which is usually proposed in the left tab.

- Candidates should send the documents in Word, Excel or PDF format (Adobe Acrobat) which are all PC compatible. Acsé should be able to read and print the files received. Candidates are requested not to use "exe" and "macros" type formats.

- Applications and commitment documents (in general, all documents for which signing is required) transmitted electronically (or sent on physical electronic media) are signed by the economic operator through an electronic signature certificate, which notably guarantees the candidate's identification.

The categories of signature certificates used for electronic signing should be in conformance with the inter-sectorial security reference system and should appear on a reference list established by the State Reform Minister.

The inter-sectorial security reference system and the list of electronic signature certificate categories mentioned above are published electronically at the following address: <http://www.entreprises.minefi.gouv.fr/certificats/>.

- Dossiers transmitted electronically are stamped with the hour and date. This means that all the documents should be transmitted to the website before the deadline for receipt of dossiers. Please remember that the deadline for receiving dossiers is **June 24, 2013 at 12 noon**, regardless of the method of delivery.

### **14.2 Backup copy**

- Along with the electronic transmission candidates may also send the following to Acsé (Acsé, Secrétariat de la DAMC, 209-211, rue de Bercy - 75585 Paris Cedex 12), a backup copy on a physical medium: paper or electronic (CD-ROM, USB flash drive, etc.), in which case the candidate should indicate on **his dossier, "backup copy"**.

- This backup copy shall only be opened in the following cases:

if a malicious programme is detected in the applications or the tenders transmitted electronically;

if an application or a tender was transmitted electronically and did not arrive within the deadline or was not opened, on condition that the backup copy arrived within the deadline.

- This backup copy shall only be taken into account if it arrives at Acsé, BEFORE the deadline for receipt of dossiers.

- In case a physical electronic medium is used, the documents that appear on it for which signing is required, should be covered by an electronic signature (please see **point 14.4** above).