



ACSE/ URBACT II (2007-2013) Operational Programme

**CONTRACT No. 2013 URB 09 28
STUDY SERVICES FOR THE URBACT EUROPEAN PROGRAMME
IN THE FIELD OF URBAN POLICIES
TENDER RULES (T.R)**

PUBLIC PURCHASER:

Agence Nationale pour la Cohésion Sociale et l'Égalité des Chances (Acse).

A National Public Establishment of an Administrative Nature

209 - 211, rue de Bercy - 75585 - Paris Cedex 12

REPRESENTED BY MS GIRARD, DIRECTOR-GENERAL OF ACSE

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ARTICLE 1: PURPOSE OF THE CONTRACT

The purpose of this contract is the conduct of two distinct studies in the field of urban policy and practices for the European programme URBACT II.

These tender rules (TC) describe the main provisions of the contract and the conditions under which candidates' proposals must be made to Acsé.

ARTICLE 2: MAIN CHARACTERISTICS OF THE CONTRACT

2.1 Procedure and form of the contract:

The present contract is composed of 2 separate lots in compliance with the article 10 of the government procurement code.

Lot 1: Study on “Learning through transnational cooperation – Methods, results and indicators”

Lot 2: Study on “Implementing new concepts and tools for sustainable urban development 2014-2020”

Each lot is signed based on an adapted procedure in compliance with article 28 of the government procurement code. Each study is the object of a separate flat-fee contract.

2.2 Allotment:

Candidates shall propose a separate offer for each lot. They may apply for one or two lots and may be selected for both lots. Nevertheless each offer will be examined lot by lot and will be marked separately.

2.3 Price:

The price is firm, flat and total throughout the length of the contract.

It includes the completion of the entire study as well as expenses relating to performing the requested services, in particular secretariat, reprography, etc, with the exception of travel and living expenses that may be incurred while conducting the study that can be refunded to the service provider according to the “URBACT travel and accommodation refund conditions”.

NB: The maximum budget per study is limited to €50 000 inclusive of taxes, as foreseen for the dedicated tool “Studies” under Operation 2 – Capitalisation in the URBACT II Programme Manual.

2.4 Term of the contract and deadline for completion:

The contract will last a total of 15 months from the date of the successful bidder’s notification. The deadline for completion (submission of documents and results) from the date of the successful bidder's notification is the following:

- 6 months for the lot 1
- 12 months for the lot 2.

2.5 Variants:

Candidates are not allowed to present variants.

2.6 Language(s) that may be used in the proposal or the participation application:

English, French

2.7 Negotiations:

Negotiations may take place with the candidate(s) having presented the best proposal, in particular, in respect of the provisions for the execution of the services and the prices.

ARTICLE 3: CONDITIONS RELATING TO THE CONSULTATION

Companies may bid as joint-and-several liability consortiums or as joint-liability-only consortiums. In the latter case, the successful tenderer must be a jointly-liable representative of the consortium.

ARTICLE 4: COMPETITIVE TENDERING – CONTENTS OF THE CONSULTATION FILE

The competitive tendering will take place after a public notice of competitive tendering published by BOAMP, by JOUE, an advertisement on Acsé's web site (www.lacse.fr), on the buyer profile (www.achatpublic.com), on the Urbact site (www.urbact.eu) and on other specialised sites if appropriate.

The consultation file is made up of the following documents:

- These tender rules (TC);
- The Special clauses (CCP)¹;
- The tender document (DC3) ;
- The reply forms CERFA (DC1, DC2, Delegation of signing authority). The

CERFA forms can be downloaded from various sites and in particular:

http://www.minefe.gouv.fr/themes/marches_publics/formulaires/index.htm

(Non-mandatory national forms for candidates of a public procurement contract)

ARTICLE 5 : CONDITIONS FOR OBTAINING THE CONSULTATION FILE

The consultation file may be downloaded from the URBACT web site (www.urbact.eu)

The consultation file can also be downloaded from the buyer profile site at the following address: www.achatpublic.com then go to the companies space (section: access the contracts' room) and then indicate in the main search window the consultation reference:

¹ In case English and French versions of the tendering documents can be interpreted differently, the French wording will prevail.

2013 URB 09 28, finally click on search then click on the section which appears showing the name of the contract.

ARTICLE 6: CONTENTS AND PRESENTATION OF THE TENDER FILES

The candidate is requested to remit one paper copy and one electronic copy (on CD-ROM or USB stick) for proposals made on a physical medium.

The envelope must contain the following documents:

A/ Application file

This application file must contain the following administrative documents in accordance with articles 43 to 45 of the public procurement code and the decree of 28 August 2006:

- An **application letter** signed by the organisation's legal representative (use the enclosed **DC1** form);
- A **declaration by the candidate** duly filled in and signed (use the enclosed **DC2** cerfa form);
- A **presentation enabling the candidate's abilities to be evaluated and appraised:**

The candidate must give information about its *professional, technical and financial abilities*. To do so it shall indicate its annual turnover for the last 3 years and enclosed with its DC2 any document proving its technical and professional competencies about the purpose of the contract (technical, human, material resources etc) as well as its experience and detailed references (years, ordering organisation, price, purpose).

NB: If the candidate does not have the requested references, it may present any kind of equivalent evidence proving a sufficient level of professional competence to execute the contract.

- A **copy of the latest ruling in the event of receivership;**

These documents enable the admissibility of the applications to be checked.

B/ Tender file

This tender file will include the following documents:

B.1 The tender document per lot duly filled in, dated and signed (use the **DC3** cerfa form enclosed), including in particular the name and the role of the signatory authorised to commit the company legally and financially;

The candidate indicates a valid fax and/or email address for all correspondence (page 2 of the tender document).

The candidate shall indicate in the "contract price" of the tender document (page 3 of the tender document), the fixed price of the contract.

These prices are deemed to include all of the services requested in the article 6 of the special clauses (CCP). Any candidate that is not liable to VAT must indicate in view of which piece of legislation it is exempted.

B.2 A presentation of the technical proposal per lot, dated and signed which must include the following elements.

The candidate must conform with the services described in the Article 6 of the Special Clauses (CCP). The proposal must include:

- a letter of intention that presents the motivations of the candidate for conducting the work, a presentation of the person or team put forward by the candidate with CVs in the European format underlining their knowledge of urban and European policy;
- a technical note that shows how the candidate intends to organise the tasks and deliverables provision on technical, practical and logistical aspects;
- a detailed financial proposal (exclusively in Euros) justifying the proposed set price and indicating the number of days allocated to each of the actions linked to the study and the total cost exclusive of tax and inclusive of tax;

B.3 Provisional calendar (for information only)

Lot 1

- Call for tender opened 14 October – 12 November 2013
- Selection of service provider end of November 2013
- Beginning of the study: December 2013.
- Interim report: March 2013
- Final report: May 2014

The calendar will be refined with the service provider at the kick-off meeting so as to ensure the study will provide input to the programming process and to the elaboration of the programme manual outlining the operational features of the different tools to be implemented under URBACT III.

Lot 2

- Call for tender opened 14 October – 12 November 2013
- Selection of service provider end of November 2013
- Beginning of the study: December 2013.
- Three one day events: April-October 2014
- Final report: November 2014

This provisional calendar may be refined with the service provider at the kick-off meeting.

NOTES:

==> The candidate whose proposal is chosen shall provide the following documents:

- for commercial companies: an extract of its enrolment (K bis) in the commercial register;
- for non-profit associations: a copy of the publication in the Official Gazette of its creation;

- for other corporate entities: any other document proving its legal existence;
- certificates issued by government offices and competent organisations proving that it has met its fiscal and social obligations (the NOTI2cerfa form can be used) or all *equivalent documents in the event of a candidate based in a State other than France, in accordance with the conditions set out in article 46 of the public procurement code*;
- the bank or postal details using the candidate's legal name;
NB: For bank accounts outside France, the holder must provide the name and address of its bank, its bank account number and the IBAN and corresponding SWIFT/BIC codes.
- the declaration relating to the fight against undeclared work.

ARTICLE 7: CONDITIONS FOR SENDING THE TENDER FILES

7.1 Sending on a physical medium

The files will be presented in a single sealed envelope with the words:

Marché No. 2013 URB 09 28
 (Contract No. 2013 URB 09 28)
**PRESTATIONS D'ETUDES POUR LE PROGRAMME EUROPEEN URBACT
 DANS LE DOMAINE DE LA POLITIQUE URBAINE
 (STUDY SERVICES FOR THE URBACT EUROPEAN PROGRAMME
 IN THE FIELD OF URBAN POLICIES)**
 A ne pas ouvrir par le service courrier
 (Not to be opened by the postal service)

**This envelope will be sent to the Public procurement and litigation service (DAMC)
 by recorded delivery with acknowledgement of receipt to:**

L'Acse, Tour Paris- Lyon, Secrétariat du
 SCPC 209-211, rue de Bercy - 75585 Paris
 Cedex 12. (16^e étage Bureaux 1618 -1619)

or

Remitted in return for a receipt at the same address and the same offices

(opening hours: 9.00 - 12.30 and 13.30 - 18.00)

7.2 Sending electronically

See conditions under article 13 of these TR.

ARTICLE 8: VALIDITY PERIOD OF THE PROPOSALS

The validity period is 3 months from the deadline for the receipt of the envelopes

ARTICLE 9: DEADLINE FOR RECEIPT OF THE ENVELOPES

The deadline for receipt of the envelopes is:

TUESDAY 12 November 2013 at noon (GMT + 1)

ARTICLE 10: PROPOSALS SELECTION CRITERIA

The economically most advantageous proposal is judged according to the criteria set out below with their weighting:

40 points: The technical and organisational quality of the proposal;

40 points: The quality and competences of the proposed team;

20 points: The financial proposal.

ARTICLE 11: MINOR CHANGES AND ADDITIONAL INFORMATION

11.1 Minor changes to the RFT

The public entity reserves the right, at the latest six (6) days before the set deadline for receipt of the proposals, to make minor changes to the consultation file. Candidates must, in this event, reply on the basis of the modified file without being able to make any complaint on this subject. This six (6) day period starts on the date the changes are sent.

If, during the study of the file by the candidates, the deadline fixed for receipt of the envelopes is postponed, this said provision applies according to this new date.

11.2 Additional information

The technical correspondents for this contract are:

Acsé, URBACT Secretariat, 5, rue Pleyel, 93283 Saint-Denis Cedex. Ms Melody Houk, Projects and Capitalisation Manager - URBACT Secretariat tel: 01 49 17 46 02 / email: m.houk@urbact.eu. Mr. Thierry Picquart, Head of Administration-Coordination- URBACT Secretariat tel: 01 49 17 46 02 / email: t.picquart@urbact.eu.

The administrative correspondents for this contract are:

Acsé, DAMC, 209, rue de Bercy ,75585 Paris Cedex 12. Mrs Martine Bourcier, Director of the public procurement and litigation service (Scpc) Tel: 01.40.02.74.12 / fax: 01.40.02.77.14 / email: scpc@lacse.fr and martine.bourcier@lacse.fr. Ms Gladys Monthezume, Assistant to the Director at DAMC Tel: 01.40.02.74.67 / email: gladys.monthezume@lacse.fr.

ARTICLE 12: APPEAL PROCEDURES

Body responsible for appeal procedures:

Administrative Court of 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.

Department to whom information may be obtained regarding making appeals:

Clerk of the Administrative Court of 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 13 - SENDING OF FILES ELECTRONICALLY

13.1 Provisions applicable in the case of sending of files electronically

➤ For a candidate wishing to respond in an electronic form (sending of the file electronically through the buyer profile) and in order to guarantee this electronic procedure is carried out in the best way, it must take into account the following instructions:

- Firstly, the candidate goes to the buyer profile site at the following address: www.achatpublic.com then go to the companies space (section: access the contracts' room) and then indicate in the main search window **the consultation reference: 2013 URB 09 28**, finally click on search then click on the section which appears showing the name of the contract. Secondly, the candidate sends its file electronically by accessing the "response" section generally available in the left-hand side tabs.

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

- The applications and tender documents (and more generally all the documents which must be signed), transmitted electronically (or sent on a physical electronic medium), are signed by the economic operator using an electronic signature certificate which guarantees the identification of the candidate.

The categories of signature certificates used to sign electronically must, firstly, comply with the intersectoral security reference system and secondly, be included in a list drawn up by the Minister for State Reform.

The intersectoral security reference system and the list of categories of electronic signature certificates mentioned in the previous sentence are published in an electronic form at the following address: <http://www.entreprises.minefi.gouv.fr/certificats/>.

- Envelopes sent electronically are time and date stamped. It is understood that all of the documents must have been sent via the site by 17/08/2010 whatever the remittance method.

13.2 Back-up copy

➤ At the same time as sending the file electronically, candidates may also send Acsé (Acsé, 209-211, rue de Bercy - 75585 Paris Cedex 12), a back-up copy on a physical medium: paper or electronic (CD-ROM, USB stick etc), the candidate must, in this case, indicate on **its envelope the words "copie de sauvegarde" (back-up copy)** and the candidate's name.

- This back-up copy will only be opened in the following cases:

When a computer virus is detected in the applications or the proposals sent electronically.

When an application or a proposal has been sent electronically and has not arrived within the deadline or was unable to be opened, subject to the back-up copy having arrived within the deadline.

-This back-up copy shall only be taken into account if it has arrived at Acsé BEFORE the deadline for receipt of the envelopes.

- In the event of the use of a physical electronic medium, the enclosed documents requiring signature must have an electronic signature (see above).