



ACSE/ URBACT II (2007-2013) Operational Programme

CONTRACT NO. 2014 URB 04 33

**PROVISION OF THEMATIC REPORTS IN THE FRAME
OF THE 2014-2015 CAPITALISATION PROCESS
OF THE URBACT EUROPEAN PROGRAMME**

TENDER RULES (T.R)

PUBLIC PURCHASER:

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

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 the contract is the provision of 5 thematic capitalisation reports by implementing, coordinating and disseminating five URBACT workstreams. The themes of the 5 workstreams are:

- New urban economies
- More jobs for urban youth
- Social innovation in cities
- Sustainable regeneration of urban areas
- Sharing and circular urban economy

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 a service provision contract signed in the frame of an open call in compliance with the articles 33 and 57 to 59 of the government procurement code.

The present contract is composed of 5 lots in accordance to the article 10 of the government procurement code.

For each lot the requested service is the provision of a thematic capitalisation report by implementing, coordinating and disseminating an URBACT workstream.

- Lot 1: on the theme of “New urban economies”
- Lot 2: on the theme of “More jobs for urban youth”
- Lot 3: on the theme of “Social innovation in cities”
- Lot 4: on the theme of “Sustainable regeneration of urban areas”
- Lot 5: on the theme of “Sharing and circular urban economy”

Each lot is a mixed contract including a fixed part and a part with purchase orders. This second part has no minimum and a maximum of € 15.000 VAT included in compliance with the article 77 of the public procurement code. This part of the contract is implemented as it goes along by issuing purchase orders during the contract validity period.

2.2 Allotment:

Candidates shall propose a separate offer for each lot. They may apply for one or several lots. Nevertheless in order to insure a high quality of the service provided, each selected candidate shall be assigned a maximum of three lots.

Each offer will be examined lot by lot and will be marked separately.

During the ACSé Public Procurement Committee, the assignment of each lot will first take into consideration the Acsé ranking and second will take into account the indicative choice of preference that the candidate must indicate in the event that the application is for several lots (see article 6 B 2). If a candidate is ranked in the first position on several lots, the lot(s) that

will be assigned to this candidate will be the ones for which a preference has been indicated.

Candidates may not submit several applications for the same lot either as individual candidates or as member of a consortium.

2.3 Price:

Fixed part of the contract

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

It includes the completion of the entire services requested in the article 5 of the Schedule of Special Clauses under the fixed part of the contract as well as the costs linked to the delivery of these services, in particular workstream meetings and hearings (catering, travel and accommodation, room renting, expertise for external speakers, etc), secretariat, reprography, etc.

Part of the contract with purchase orders

Based on an estimate including the entire requested services, in particular catering, travel and accommodation, expertise fees, etc, a purchase order is issued by the Secretariat.

The estimated budget of the workstream is € 60 000 inclusive of taxes with regards to the fixed part. The purchase orders part of the contract has no minimum and a maximum of € 15.000 inclusive of taxes.

2.4 Term of the contract and deadline for completion:

The contract will last a total of 16 months from the date of the successful bidder's notification. The deadline for completion is 30 June 2015.

However, the successful bidder may request a deadline extension by sending the awarding authority (ACSÉ) a request in writing, including the reason for the extension request and the new requested deadline, which must fall by the end of the contract's term. If the extension request is accepted the successful bidder will be notified in writing or by e-mail.

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

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: **2014 URB 04 33**, 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:**

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

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 in particular in the field of urban policies at European level (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 5 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, written in English, dated and signed which must include the following elements.

The candidate must conform with the services described in the Article 5 of the Special Clauses (CCP). The proposal must include:

- a letter of intention that presents the motivations of the candidate for conducting the work of provision of a capitalisation report by implementing, coordinating and disseminating an URBACT workstream;
- a presentation of the person presented as workstream coordinator and the team proposed if applicable (CVs of each team member in the European format underlining their knowledge, competences and experience of urban and European policy, in particular on the theme of the workstream, and abilities to work in a proficient English);
- a short note that explains how the theme of the workstream is understood by the candidate and the importance for the URBACT programme to tackle this theme;

- a technical note that shows how the candidate intends to organise the tasks and deliverables provision both on the content side (first ideas on how to design the work of the workstream, first ideas to compose the core group, people to be invited for hearings, relevant practices to be explored, etc), and on technical, practical and logistical side (meetings, practical organisation of the work, etc);
- 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 workstream coordination, the cost per day, the total cost linked to the staff;
 - . the costs linked to the meetings, hearings, core group work, etc

In the event that a candidate applies for several lots, the candidate preference order must be indicated on the offers or on a separate paper by decreasing order (1 for the first choice, etc).

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 following words:

Marché No. 2014 URB 04 33
(Contract No. 2014 URB 04 33)

**PRODUCTION DE RAPPORTS THEMATIQUES DANS LE CADRE DU PROCESSUS DE
CAPITALISATION DU PROGRAMME EUROPEEN URBACT II
PROVISION OF THEMATIC REPORTS IN THE FRAME OF THE URBACT II
CAPITALISATION PROCESS 2014-2015**

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'Acisé, 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 4 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:

MONDAY 28 APRIL 2014 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:

CRITERION 1 (40 points): Experiences and competences of the workstream coordinator (and his/her team, if applicable) in the field of urban policies at European level, in particular on the theme of the workstream; English language skills will be taken into consideration in this criterion;

CRITERION 2 (40 points): Methodological framework, understanding of the work and capacity to organise it both at content level and technical/logistical level;

CRITERION 3 (20 points): 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: 2014 URB 04 33**, 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. Acsé 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 28/04/2014 noon 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).