

FONDATION AGIR CONTRE L'EXCLUSION

361, Avenue du Président Wilson, 93200 Saint-Denis, France

INTERREG PROJECT UNEET

DELIVERY OF SERVICES



RULES FOR ENQUIRY FOR TENDERS

(R.C)

Rules of enquiry for tenders

Contracting authority

Fondation Agir Contre l'Exclusion
Represented by its Delegate General

Date and time by which the tenders should be received

April 23, 2019 at 7pm (Paris time, UTC+2)

Rules of enquiry for tenders

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Article 1: Purpose of the enquiry for tenders

The purpose of this contract is to select the legal consultant of the UNEET project co-financed by the INTERREG North-West Europe Agency. Supported by a consortium of six partners, with FACE being its leader, the UNEET project started in March 2018 and will end in March 2021.

In the context of the current project, the role of the legal consultant includes:

- producing the legal framework of the platform created by the consortium of partners (right of intellectual property);
- assist the leader of the consortium (FACE) in consulting, producing and validation of the different elements and steps of the call for tenders to be set up to select the digital agency that will be in charge of creating the platform. As the call for tenders is initiated by the leader, it will be governed by the European and French law in this regard (public procurement law)

Article 2: Legal form of the contract

This contract is a contract for the delivery of service executed according to the form of a suitable procedure.

This contract is not apportioned.

In addition, there are no plans for breaking down into segments or phases.

The candidates cannot present variants.

Article 3: Conditions of the enquiry for tenders

3.1 Scope of the enquiry for tenders

This enquiry for tenders is displayed on the website of the FACE foundation (<https://www.fondationface.org/projet/uneet/>, under the 'appels d'offres' tab) as well as the Bulletin officiel des annonces de marchés publics- BOAMP (Official Bulletin of Publication of Public Procurement Notices) (www.boamp.fr) and the following website: <http://fondationface.e-marchespublics.com>

3.2 Conditions of participation

The candidates can participate alone or as a consortium.

In the latter case, if a consortium with joint liability becomes the successful tenderer, it is mandatory for it to appoint a joint and several authorised representative from among its members.

The same candidate cannot participate as an independent candidate as well as a candidate who is a member of a consortium. Neither can it be the authorised representative of more than one consortium.

3.3 Variants and options

No variant is authorised.
No option is provided for.

3.4. Price of the service

The service will be remunerated by a final and firm all-inclusive price.

3.5 Modifications of the details of the tender enquiry

The Fondation Agir Contre l'Exclusion is entitled to make changes to the details of the tender enquiry not later than 5 working days before the final date for the submission of tenders.

3.6 Validity period of the tenders

It is fixed at 90 days from the final date of reception of the tenders.

3.7 Method of payment for the service

The services, which are the subject of this enquiry for tenders, will be paid for by bank transfer, within an overall period of 30 days from the date of receipt of the invoices and after the corresponding deliverables shall have been delivered or equivalent requests for payment along with all the supporting documents; it is specified that these invoices or requests for payment can be issued only after reception of the services that will be the subject of the same.

3.8 Duration of the service

The service must be executed throughout the project, whose end date is fixed at 6 March 2021. It will start with the reception of the notification of award of the contract by the service-provider.

Article 4: Withdrawal of the tender enquiry

The contract notice and the tender enquiry can be viewed on the website of the Bulletin officiel des annonces de marchés publics (BOAMP) (Official Bulletin of Publication of Public Procurement Notices) at the following address: www.boamp.fr

The documents can be consulted at the following website: <http://fondationface.e-marchespublics.com>

Article 5: Transmission and procedures for sending tenders

The candidates send before April 23, 2019 at 7pm (Paris time, UTC+2) their tender electronically to the following website: <http://fondationface.e-marchespublics.com>

Article 6: Content of the tenders

The presentation folder of the tender will **have to be written in English** and include:

- A specific and detailed description of the expected service
- A methodology describing the overall approach of the service-provider for the setting up of the service (back-planning, equipment, technical, human means, etc.)
- A description of the mobilised team and previous references of the candidate
- The detailed evaluation of the price of the service.
- The completed deed of commitment.

Besides the tender presentation folder, it will include:

- Power of the person authorised to take on commitments on behalf of the company
- The professional references and mainly those in connection with the expected service
- Declaration indicating the manpower, material and technical equipment which the candidate has at its disposal to provide the service
- The locally mobilised means to provide the service

To justify financial, technical and professional capacities of the subcontractors whose services the service-provider could enlist to respond to this enquiry for tenders, the candidate produces the same documents concerning this subcontractor as those requested by the Fondation Agir Contre l'Exclusion with respect to it. In addition, to justify that it has the capacities required from these subcontractors, the candidate produces a written undertaking from each of them.

Before starting the examination of the tenders, the Fondation Agir Contre l'Exclusion can ask the candidate concerned to produce or complete the documents stated above if they are deemed missing or incomplete, within a maximum period of one week from the date of reception of the submission of tenders.

Article 7: Submission of the tenders

The candidates send before April 23, 2019 at 7pm (Paris time, UTC +2) their tender electronically to the following website: <http://fondationface.e-marchespublics.com>

Article 8 – Examination of the tenders

The analysis of the tenders will be the subject of a consolidated report with the members of the consortium. FACE can ask the candidates for additional explanations. These explanations can be requested in the context of an interview (by Skype, telephone conference or interview).

The compliant tenders will be examined according to the following criteria and according to the distribution indicated below:

- **Technical value of the tender: 60%** of which:
 - Expertise of the firm (40%): Ability to work in French and English, knowledge about the assistance to the contracting owner for the award of public contracts/ French law, knowledge about intellectual property, GDPR as well as open source (and mainly the stakes associated to these issues at the European scale);
 - Relevance of the proposed methodology (20%): Speed and fluidity of the exchanges, operational recommendations and formulation.
- **Price: 40%**

The examination of the tenders will lead to their classification. The tender classified as first will be retained.

Article 9: Additional information

The candidates can request technical and administrative information, by submitting their questions on this website: <http://fondationface.e-marchespublics.com> within a maximum period of 4 working days before the date of submission of the tenders.

Appendix 1 - Documents to be provided by the successful tenderer

The following documents are to be provided by the contractor of the service within a maximum period of 15 calendar days from the notification of the award decision:

- 1- Documents proving that there is no prohibition on it to tender stated in article 45 of order no. 2015-899 of 23 July 2015 relating to public procurement contracts

2- The certificates and documents stated in articles R1263-12, D8222-5 or D8222-7, D8254-2 to D8254-5 of the Labour code.