

English translation of “Règlement de consultation” –rules of procedure of the CEA call for tenders

ref. DRF/P-SAC/SC/BEPII/PB/B21-04945-PBB

This translation is made for information purposes, and only the French version shall prevail.

Le 07/02/2022

**FURNITURE AND LOADING OF A SEALED SOURCE FOR THE COCASE IRRADIATOR OF CEA
PARIS-SACLAY**

DEADLINE FOR SUBMITTING TENDERS: 2022/03/07 before 16h00

ONLY DEMATERIALIZED SUBMISSION (<https://www.marches-publics.gouv.fr>) WILL BE ACCEPTED.

PURCHASE DEPARTMENT CONTACTS

Mme Pauline BOUÇA-BESSEAU, Service Commercial/BEPII

- Tel : 01 69 08 12 16
- Mail address : pauline.bouca-besseau@cea.fr

In case of absence:

M Thomas MOALLIC, Service Commercial/BEPII

- Tel : 01 69 08 90 64
- Mail address : thomas.moallic@cea.fr

In the event of a possible on-site visit, the tenderer must provide information concerning his identity 7 calendar days before his arrival.

INFORMATION DURING PROCEDURE

In order to be inform of any information or modification of the tender file, tenderers shall log in by informing their e-mail address on the following website: <https://www.marches-publics.gouv.fr>.

SOMMAIRE

1 - OBJET.....	4
2 - DOCUMENTS APPLICABLES.....	5
3 - PROCEDURE	5
4 - TENDER CONTENT	7
5 - JUDGEMENT OF THE TENDER.....	9
FINANCIAL PROPOSAL	10
<i>ANNEXE A « DOCUMENTS ADMINISTRATIFS » ET L'ANNEXE B « FORME DE REMISE ET D'ENVOI DES PLIS »</i>	<i>11</i>

1 - OBJET

1.1 - General provisions

As a contracting authority, the CEA is subject to Ordinance No. 2018-1074 of November 26, 2018 and Decree No. 2018 -1075 of December 3, 2018 relating to the Public Order Code.

This consultation has been conducted according to the adapted procedure pursuant to Articles R2123 - 1 and 21-31-12 of the Decree of 3 December 2018.

1.2 - Purpose of the « consultation regulation »

The purpose of this consultation regulation is to define the conditions under which the adapted procedure for furniture and loading of a sealed source for the COCASE irradiator of CEA Paris-Saclay

It is a furniture contract within the meaning of Article L1111-1 to 5 of the ordinance of 2018-1074 of November 26, 2018 relative to the code of the public order.

1.3 - Content of services

The content of the services is detailed in the draft contract.

The provisional start date for the services is set for first semester of 2022.

1.4 - Division into lots

Due to the impossibility of identifying distinct performances, the contract is not divided into separated lots.

1.5 - Alternative solutions

Technical alternatives are not allowed.

Otherwise, the CEA will consider the offer as irregular.

1.6 - Consortium of companies

In case of a consortium of companies, CEA reserves the right to ask for a modification of the consortium's framework (joint-and-several-liability consortium / jointly-liaible representative of the consortium). Tenderers shall not be part of several consortiums.

1.3 - Subcontract

The Contractor may subcontract the performance of certain parts of its contract provided that it has obtained from the CEA representative the acceptance of each subcontractor.

For any subcontract declaration, at the time of the submission of the offer or after the submission of the offer, the candidate provides the CEA with the "Subcontract Acceptance Request Form" attached in Annex A - Administrative documents.

1.7 - Period of validity of tenders

The period of validity of tenders is fixed at 6 months from the deadline for receipt of tenders.

In case of negotiation, the period of validity runs from the date of submission of the final offers.

2 - DOCUMENTS APPLICABLES

This call for tender is governed by the following documents, applicable in decreasing order of priority:

- the regulations set forth herein,
- the draft contract ref. B21-04945-PBB,
- the Technical Specifications, referenced Irfu/DIR/CDC/02 Index A dated June 2021,
- the so-called “Instructions Générales de Sécurité applicables aux Entreprises Extérieures et aux organismes en collaboration travaillant sur le Centre CEA Paris/Saclay”, referenced DRF/P-SAC/CQSE/CO/01 index A of April 2018,
- *the general radiation protection rules of the CEA applicable to the CEA Saclay* (MR/DPSN/SPHE/RAD/001 of March 2012 ind. 0),
- the Circular DPSN n ° 4 “Organization of radiation protection within the framework of operations carried out by an external company” and its appendix entitled “Specific rules relating to the organization of radiation protection within the framework of operations carried out by an external company”, MR/NHPD/SSR/RAD/INS/4.2/010,
- the note DEN/DANS/DIR/PRE/01 “Requirements applicable to BNI providers - external stakeholders”, Index E of April 2019;
- the General Purchase Conditions of the CEA (GPC) dated February 2013,
- the Special Conditions of Social Clauses (C2SP) referenced DAPS/DIR/2021-001 of 12 January 2021.

Documents indicated in *italics* are available upon request in writing to the Sales Department.

The General Purchase Conditions of the CEA (GPC) dated February 2013 and the “Cahier des Clauses Sociales Particulières (C2SP)” dated January 2013 are available on request from the CEA/Paris-Saclay Purchase Department and online via the following website:

<http://www.cea.fr/entreprises/Pages/fournisseurs/portail-des-marches-electroniques.aspx>

Bidders expressly acknowledge to have taken into account and accepted the documents mentioned hereinabove.

Bidders’ general terms and conditions of sale are unenforceable regardless of the form, apart from the provisions resulting from mandatory statutory rules.

3 - PROCEDURE

3.1 - Steps of the procedure

3.1.1 The timetable of the procedure

The table below shows the dates and deadlines for the different stages of the procedure.

Each step is explained in the following paragraphs.

Steps of the procedure	Date or deadline in working days
Sending of the coordinates of the people for authorization of entry on the site in the document "notice of appointment"	7 calendar days before the date of the site visit or of the information meeting
Optional site visit	No later than 8 days before the deadline for submission of bids
Questions from tenderers	No later than 8 days before the deadline for submission of bids
Amendment of the DCE by the CEA	At the latest 5 days before the delivery of the folds
Delivery of bids by tenderers	By 2022/03/07 at 4 pm
Additional questions from CEA	Throughout the procedure
Presentation of the bids	No

3.1.2 Before the submitting of the bids

a. Optional site visit

In order for each tenderer to be able to draw up a precise technical and financial offer, an optional visit, prior to receipt of the offers, may be made on the CEA site in Saclay on the dates set out above.

It is the responsibility of economic operators to initiate this visit by contacting the person below at least 7 calendar days before the date of the visit:

M. Rémi CHIPAUX
Tel: 01 69 08 95 68
lremi.chipaux@cea.fr

M. François Daly
Tel: 01 69 08 96 23
mail: francois.daly@cea.fr

On the day of the visit, tenderers will produce their national identity card or valid passport at the entrance to the site (driving license is not accepted).

Only two visits per tenderer will be possible.

b. Tenderer's questions

Prior to the submission of bids, bidders are allowed to ask additional questions within the time period indicated in the table above.

For any further precision of information, each tender shall contact the purchase department via PLACE.

In order to ensure an equal treatment of tenderers, CEA commits to answer to the relevant questions asked by each tenderer and to inform the others of the answers given, except if it appears necessary to maintain the confidentiality of innovative efforts from the tenderer involved.

c. Modification of the tender documents

The CEA reserves the right to make, at the latest within the time indicated in the table above, detailed modifications to the consultation file. Tenderers will then have to reply on the basis of the modified consultation file, without being able to raise any claim in this respect.

3.1.3 After the submitting of the bids

a. Questions from CEA

After the submission of tenders, the CEA reserves the possibility to send additional questions to the tenderers in order to clarify their offer. The latter will have to respond in writing within the prescribed time. Failing response within the time limits, their offer may be excluded from the procedure.

b. Negotiation

The CEA gives itself the opportunity to negotiate orally or in writing with all the bidders or to award the contract without negotiation if the bids submitted are considered financially acceptable and in perfect adequacy with the Technical Specifications.

Negotiations may include, but are not limited to, price, quantity, quality or performance guarantees of the contract.

At the end of the negotiations, the tenderers will not be able to claim any compensation.

3.2 Deadline for submission

Bidder bids must be received by the CEA no later than the date shown in the table above. Any file received after the above mentioned date will be considered delivered after the deadline and eliminated from the procedure.

3.3 Form of delivery and sending of tender

The tenderer is obliged to submit his letter electronically on the platform PLACE (<https://www.marches-publics.gouv.fr>).

The terms and conditions of delivery are set out in Appendix B, "Form of Remittance".

3.4 Continuation of the procedure

Without being liable, the CEA reserves the right to:

- declare the consultation unsuccessful if he has not obtained offers or if none of the tenders received seems to him to be acceptable, regular or appropriate,
- not to act on this consultation.

In case of allotment, the result given to the procedure may be different for each batch.

4 - TENDER CONTENT

The tender, which shall be written in French or in English, shall be divided in two parts (application and tender) and must contain the following documents:

4.1 - Documents submitted under the application

The application file must consist of the following elements:

- a. A sheet specifying the contact details of the technical and commercial contact for the file (name, email, address, telephone numbers),
- b. In the case of a group of companies, a letter of authorization from the agent by his co - contractors and the grouping agreement duly signed.
- c. For information, an extract from the registration in the trade and companies register (K or K bis) or equivalent, less than 3 months old,
- d. When it belongs to a group, a certificate certifying its commercial autonomy and its competitive position vis-à-vis the other companies in the group.
- e. Certificates of insurance civil, professional, decennial in validity,
- f. The copy of the judgment (s) pronounced if it is in receivership,
- g. Certificates and tax and social certificates dating from less than 6 months, issued by the administrations and competent bodies,
- h. Data relating to the financial capacity of the company (turnover, results and turnover achieved with the CEA for the last three years),
- i. Certificates or qualifications in adequacy with the current market, issued by an approved organization, CEFRI-E certification (or equivalent),
- j. A file presenting the capacities of the company which will have to detail:
 - the technical means of the company,
 - human resources and the organization of society,
 - references for similar operations performed in the last three years. The references presented must mention the name of the project, the date, the place of execution, the details of the client, the nature and amount of the operations carried out.

In case of grouping, each member of the group will have to provide the documents requested above.

All the bidders are exempted from transmitting (at the time of the deposit or the attribution) these documents if they are contained in a free digital storage space, provided to communicate to the CEA the information necessary for the consultation of this storage space and the withdrawal of said documents.

4.2 - Documents submitted under the tender

The offer file must consist of the following elements:

Administrative and commercial parts:

- a. the draft contract, duly completed in writing, initialled and signed attesting to the acceptance of its terms by the tenderer,
- b. a copy of the Attestation of Attached Visit completed and signed (in Annex A - Administrative Documents),
- c. A financial proposal according to the price decomposition framework attached to the DCE. Failure to submit the price decomposition according to the requested formalism constitutes a reason for irregularity of the offer.

The proposed prices will be established on the economic conditions of the month of the deadline for receipt of the offer and according to the stipulations mentioned in the draft contract attached to this consultation file. They include all the subjections defined in the latter.

Technical file

- d. a technical proposal specifying the provisions that the company undertakes to adopt for the performance of the service, setting out the technical choices. Tenderers must demonstrate the technical compliance of their offer with the CEA Technical Specifications. A simple repetition of the Technical Specifications is not admissible, the tenderer having to justify all of his technical choices.
- e. indications concerning the envisaged methods of execution and the list of materials and equipment used.
- f. the schedule of performance of the services which will have to be detailed and indicate the different phases as well as their anticipated duration.
- g. the qualification and references of the market manager.
- h. the organization implemented to perform the service including:
 - the qualification and references of the market manager,
 - the provisional organization chart, profiles and qualifications, CV, etc ...,
 - the number and qualification of personnel called upon to work on the CEA site
- i. the main measures to ensure safety and hygiene as well as the protection and preservation of the environment (accompanied by environmental analysis), and the safety results. The tenderers will present the policy implemented within the company to improve the standard safety and hygiene as well as the provisions implemented as part of the execution of the contract,
- j. a specific preliminary quality assurance plan specifying the specific provisions implemented in the context of the contract,
- k. subcontracting: the companies will have to indicate the nature, the volume and the amount of the services that would be subcontracted, the list of subcontractors envisaged, accompanied with the requests for acceptance of subcontractors conforming to the model enclosed in the file Annex A - Administrative Documents,

If the company intends to subcontract a part of the contract, it will have to make known, at the time of its submission, the identity, the address of its (or its) subcontractor (s) and the nature of the parts subcontracted. Subcontractors may also be declared in the course of execution of the contract. The CEA reserves the right to request the communication of the contract (s) of subcontracting or (and) not to accept a (or) sub-contractor (s) proposed (s).

The selected Holder must obligatorily submit any subcontractor to the acceptance of the CEA throughout the performance of the service by expressly complying with the framework provided in the appendix.

5 - JUDGEMENT OF THE TENDER

Applications

In order to bid on this procedure, tenderers will have to prove sufficient financial, technical and professional capacities with regard to the services to be provided.

Tender

Compliant tenders will be assessed by CEA according to the following evaluation criteria:

- Technical value, particularly the control of operations, (the repositioning of the barrel in the irradiator; the activity of the source and the compatibility of its geometry with the one of the irradiator.
- Price.
- Delay.

APPENDIX 1

FINANCIAL PROPOSAL

Below is the framework of the prices breakdown to complete.

PHASES			Price € HT
Phase 1: <i>Préliminary Studies</i>			€ HT
Phase 2: Transport of the irradiator toward the operating site	Supplying the transport packaging for the irradiator		€ HT
	The Holder carries out the irradiator (Equipment) containing the source of Cobalt 60 (the Source) between the CEA-Saclay site and the operating site	Packing	€ HT
		Loading	€ HT
		Transport	€ HT
Total Phase 2			
Phase 3: Provision of the source	Provision of the source		€ HT
	End of life source taking over engagement		€ HT
Total Phase 3			€ HT
Phase 4: Loading of the irradiator	Loading of the irradiator with the source		€ HT
Total Phase 4			€ HT
Return of the irradiator to CEA-Saclay	Supplying the transport packaging		€ HT
	Packing		€ HT
	Transport		€ HT
	Unloading on CEA site		€ HT
	Unpacking		€ HT
Total Phase 5			€ HT
TOTAL MARCHE			€ HT

ANNEXE A « DOCUMENTS ADMINISTRATIFS » ET L'ANNEXE B « FORME DE REMISE ET D'ENVOI DES PLIS »

List of administrative appendices and “dematerialized offer »

The tender file DCE.zip contains, amongst other document, the following appendices:

- **Annexe A « DOCUMENTS ADMINISTRATIFS »** The list of documents to be completed and provided is as follows:
 - Application form for acceptance of a subcontractor.
- **Annexe B « FORME DE REMISE ET D'ENVOI DES PLIS »** • who will inform the bidders about the terms and the use of the PLACE dematerialization platform accessible at the following address: <https://www.marches-publics.gouv.fr>

We invite you to log in now on the CEA information website to inform you of all the arrangements for setting up and using PLACE, in particular obtaining a certificate that may take several days:

<http://www.cea.fr/entreprises/Pages/fournisseurs/portail-des-marches-electroniques.aspx>