

**SERVICE CONTRACT FIELD COORDINATION OF THE PROJECT IN THAILAND**

**Naye Thit Project**

**no. MAGOV4747**

**TENDER REGULATIONS (TR)**

**CLOSING DATE AND TIME FOR SUBMISSION OF BID DOCUMENTS: August 25<sup>th</sup>, 2023 at 6:00  
(GMT+01:00 Paris, Brussels, Copenhagen, Madrid)**

**Closing date for questions from the candidates: August 11<sup>th</sup>, 2023  
(10 calendar days before the deadline for receipt of bids)**

**Closing date for CFI to answer questions: August 18<sup>th</sup>, 2023  
(5 calendar days before the deadline for receipt of bids)**

**(GMT+01:00 Paris, Brussels, Copenhagen, Madrid)**

**SUMMARY**

<b>Article 1. PURCHASER .....</b>	<b>2</b>
<b>Article 2. SUBJECT OF THE TENDER.....</b>	<b>2</b>
2.1. Title of the Contract .....	2
2.2. Services entrusted to the Service Provider .....	2
2.3. Allotment.....	2
2.4. Term of the Contract .....	2
2.5. Total estimated value .....	3
2.6. Advance payment.....	3
2.7. Type of process.....	3
2.8. Variations and options .....	3
<b>Article 3. TENDER DOSSIER (TD) .....</b>	<b>3</b>
3.1. Contents of the Tender Dossier .....	3
3.2. Procedure for obtaining the Tender Dossier for candidates.....	3
3.3. Modification of the Tender Dossier .....	4
<b>Article 4. APPLICATION AND BID DOSSIERS .....</b>	<b>4</b>
4.1. Content of the application and bid dossiers .....	4
4.2. Terms and conditions for sending application and bid dossiers .....	5
4.3. Bids validity period .....	7

<b>Article 5. BID SELECTION ANALYSIS .....</b>	<b>7</b>
5.1. Verification of bid conformity .....	7
5.2. Bid selection criteria .....	7
<b>Article 6. AWARD OF THE CONTRACT .....</b>	<b>8</b>
6.1. Supporting documents necessary for awarding the Contract .....	8
6.2. Notification of unsuccessful applicant companies .....	9
6.3. Notice of cancellation of the process .....	9
6.4. No compensation for unsuccessful candidate .....	9
<b>Article 7. ADDITIONAL INFORMATION.....</b>	<b>9</b>
<b>Article 8. APPEALS PROCESS.....</b>	<b>9</b>
8.1. Precisions concerning the time limits for lodging appeals.....	9
8.2. Body and department responsible for appeals processes .....	9
<b>Article 9. APPENDICES .....</b>	<b>10</b>

<b>Article 1. PURCHASER</b>
-----------------------------

**The French Media Development Agency - CFI**

**(Transtélé Canal France International)**

**62 rue Camille Desmoulins**

**92132 Issy-les-Moulineaux**

<b>Article 2. SUBJECT OF THE TENDER</b>
---

**2.1. Title of the Contract**

This Contract is a service Contract relating to a Service provider responsible for the field coordination of “Naye Thit” Project’s activities in Thailand for the duration of the Project.

**2.2. Services entrusted to the Service Provider**

The expectations of the Services are detailed in the Terms of Regulations.

**2.3. Allotment**

Considering the coherence of the Services, which cannot be divided by specialization, and the needs to be ensured, CFI has chosen not to proceed with the allotment of the Contract. Indeed, allotment would make the execution of the services technically difficult and financially more expensive.

**2.4. Term of the Contract**

The term of the Service Contract is four (4) months from the date of entry into force.

In the case where CFI decides to notify the Optional phase n°1 the contract will be subject to a renewal of twelve (12) months.

In the case where CFI decides to notify the Optional phase n°2 the contract will be subject to a renewal of eight (8) months.

The maximum total duration of the Contract, including renewals, shall not exceed twenty-four (24) months.

Renewal is express.

In the event that CFI wish to renew the Contract, it shall notify the Service Provider, by any means that allows for proof of receipt, of its decision to renew at least one (1) month prior to the anniversary date of this Contract. In the event of non-renewal, no compensation or indemnity of any kind whatsoever may be claimed by the Service Provider

In the event of non-renewal, the Service Provider may not request payment of compensation and the right to payment acquired shall not apply.

The Service Provider cannot refuse renewal<sup>1</sup>.

### **2.5. Total estimated value**

The maximum amount of this contract is forty thousand euros (40 000 €) excluding tax.

The Services of the Contract are paid for using a unit price set out in the Pledge of Commitment Form (PCF).

### **2.6. Advance payment**

No advance payment shall be made under this Contract.

### **2.7. Type of process**

The Contract is entered into according to the **adapted procedure**<sup>2</sup>. Adapted procedure is the process whereby CFI freely determines the terms and conditions according to the nature and characteristics of the need to be met and the number or location of candidate likely to meet it.

### **2.8. Variations and options**

Variations and options are not allowed.

## **Article 3. TENDER DOSSIER (TD)**

### **3.1. Contents of the Tender Dossier**

The Tender Dossier contains the following documents:

- The Pledge of Commitment Form (PCF) and, if applicable, its financial appendix: Unit Price List (UPL)
- The Terms of Reference (ToR) and its appendix the Anti-Corruption and Influence Peddling Declaration.
- The Tender Regulations (TR) and its appendix:
  - o Appendix No. 1 - Application Form (AF)

### **3.2. Procedure for obtaining the Tender Dossier for candidates**

The Tender Dossier is available free of charge, by electronic means only, on the paperless platform at the following email address:

<https://www.marchespublics.gouv.fr>

<sup>1</sup> Pursuant to article R2112-4 of the French Public Procurement Code.

<sup>2</sup> Pursuant to articles L. 2123-1 and R.2123-1 to R2123-8 of the French Public Procurement Code

### 3.3. Modification of the Tender Dossier

CFI reserves the right to make detailed changes to the Tender Dossier. These changes must be received by the candidates no later than six (6) calendar days before the deadline for receiving applications and bids. Candidates must then bid on the basis of the amended dossier with no right to object about this matter.

If the deadline for receipt is postponed while the candidates are examining the dossier, the previous provision shall apply based on this new date.

## Article 4. APPLICATION AND BID DOSSIERS

The candidates' attention is drawn to the fact that their bid must comply with the requirements of the Tender Dossier documents and in particular with the provisions of the Terms of Reference (ToR). The Tender Dossier documents must not be modified or subject to reservations, otherwise the bid shall be rejected.

Candidates' applications and bids are written entirely in English and denominated in euros.

The candidates may, if necessary, ask CFI for a French translation of the Tender Dossier (TD) documents.

### 4.1. Content of the application and bid dossiers

In the application dossier and the bid dossier, each candidate must produce a complete dossier containing all the documents and information listed below:

APPLICATION DOSSIER		
Required documents	Details regarding their content	Where to find them?
Application Form or equivalent	<p><b>Applicant Form must be <u>dated and signed</u></b> by the candidate and includes:</p> <ul style="list-style-type: none"> <li>- A <u>presentation of the applicant company</u></li> <li>- A <u>sworn statement</u> certifying that the applicant company does not fall under one of the cases prohibiting it from submitting a bid<sup>3</sup>;</li> <li>- The applicant company's <u>total turnover</u>.</li> </ul>	Use the document "Application Form (AF)" attached to this Tender Regulations (TR) or equivalent
BID DOSSIER		
Required documents	Details regarding their content	Where to find them?
Pledge of Commitment Form (PCF) or equivalent, duly <b><u>completed, dated and signed</u></b>	<p>The Pledge of Commitment Form (PCF) <b>must be <u>dated and signed</u></b> by the candidate and includes:</p> <ul style="list-style-type: none"> <li>- The amount of the applicant company's financial bid;</li> <li>- The lots the applicant company is bidding for, if applicable.</li> </ul>	Use the "Pledge of Commitment Form (PCF)" attached to the Tender Dossier (TD) (word)
The applicant company's financial bid	The Financial Bid must be <b><u>dated and signed</u></b> and state the daily rates of all persons participating in the assignment.	Use the Unit Price List framework provided in the Tender Dossier (TD) (Xls)
The applicant company's technical bid	This technical bid must present, in particular:	Maximum of 15 A4 one-sided pages excluding appendices (PDF)

<sup>3</sup> Pursuant to articles L. 2141-1 to L. 2141-10 of the French Public Procurement Code.

<p><b>containing information relating to the sub-criteria of Criterion 1 on the scoring grid (Article 5.2. Bid selection criteria)</b></p>	<ul style="list-style-type: none"> <li>- The understanding of the challenges and expectations of the requested services, of the Terms of Reference (ToR);</li> <li>- The proposed methodology for conducting the service, in particular regarding the team's own experience or the experience of the person dedicated to this Contract within the applicant company regarding the subject of the Contract (detail of experience linked with this Contract);</li> <li>- The proposed processes for addressing the assignment's challenges and expectations as well as the composition of the team that shall be dedicated to this Contract;</li> <li>- The resume of each member of the team or person dedicated to this Contract within the applicant company, including proofs of mastery in English;</li> <li>- Two reference letters from two other employers or clients of the team or the person dedicated to this Contract within the applicant company regarding similar contracts specifying the requests processed and the term of these contracts;</li> <li>- Any documentation deemed useful to assess the quality of the bid.</li> </ul>	
--	--	--

Candidate may present for the award of the Contract as a single company or as a consortium of operators with a single representative<sup>4</sup>.

In the event of subcontracting, the candidate shall produce the documents and information necessary for the acceptance of each subcontractor and for the approval of its payment terms<sup>5</sup>. In the event of subcontracting, each subcontractor must submit the [DC4](#) (or equivalent).

To justify its professional, technical and financial capacities, the candidate, even if it is a consortium, may request that the professional, technical and financial capacities of other companies be taken into account, regardless of the legal nature of the links between it and these companies. In this case, it shall justify the capacities of this company or these companies and provide proof that they shall be available to it for the performance of the Contract.

The information written in the Pledge of Commitment Form (PCF) take precedence over all of the other information in the bid and, if any discrepancies are noted in a bid, the amount shall be adjusted accordingly.

#### **4.2. Terms and conditions for sending application and bid dossiers**

Candidates must submit their documentation in electronic format.

Documentation is submitted exclusively by electronic means on the platform:

<sup>4</sup> Pursuant to article R2142-19 of the French Public Procurement Code.

<sup>5</sup> Pursuant to articles R. 2193-1 to R. 2193-2 of the French Public Procurement Code.

Complete application and bid dossiers are to be sent and must reach their destination **before the closing date stated on the cover page of this Tender Regulations (TR).**

Only documentation received before the closing date and time specified on the cover page of this Tender Regulations (TR) will be opened. Bid envelopes that are received or delivered after this date and time won't be opened. Bid envelopes received out of time shall be entered in the submissions register and will be rejected<sup>6</sup>.

In the case of large files, candidates must ensure that their entire documentation is uploaded before the closing date of receiving bids.

**Electronic signature of documents is not required.**

It is strongly recommended for each electronic submission on the paperless platform to comply with the following security principles:

- at least 48 hours before the response closing date, run a full test of the technical requirements to be met for electronic submission on the candidate's computer (accessible from the candidate's private space under the heading Help/prerequisites) and contact tech support in case of difficulty;
- optimise the files to limit the total size of the submission to a maximum of 500 MB.

A successful submission does not exempt the candidate from these precautionary principles for subsequent submissions.

Candidates are:

- encouraged to take into consideration the risks of electronic transmission. Therefore, they must take precautions to ensure that the electronic transmission of their bid is complete and successful before the closing date and time for the submission of documentation.
- authorised to send a backup copy by post or against receipt either on a physical electronic medium (preferably a USB stick) or on paper. Backup copies must be sent to the following address in a sealed envelope clearly marked "Backup Copy" and reach CFI before the closing date and time for the receipt of bids:

**Transtélé Canal France International**  
For the attention of Briec LAHELLEC  
62, rue Camille Desmoulins  
92130 Issy-les-Moulineaux

With the mention:

**"CONTRACT – FIELD COORDINATION IN THAILAND – NAYE THIT"**

The backup copy is opened in the following cases:

- when a computer virus is detected in the applications or bids transmitted electronically. A trace of any such virus is kept;
- when an electronic application or bid is received incomplete or out of time, or could not be opened, provided that the transmission of the application or electronic bid started before the closing of the submission of bids.

---

<sup>6</sup> Pursuant to article R 2151-5 of the French Public Procurement Code.

#### **4.3. Bids validity period**

The bid validity period is one hundred and sixty (160) calendar days from the bid submission closing date.

By responding to the tender, the candidate is deemed to have unconditionally accepted the tender terms and conditions. Its application and offer shall undertake the entire period stipulated in this article. The candidate cannot withdraw before this period expires.

<b>Article 5. BID SELECTION ANALYSIS</b>
--

#### **5.1. Verification of bid conformity**

CFI checks that bids are appropriate, acceptable and irregular being specified that:

- (a) Inappropriate, a bid unrelated to the Contract because it is obviously unable, without substantial modification, to meet CFI's need and requirements formulated in the tender documents. Inappropriate bids are rejected.
- (b) Unacceptable, a bid has a price which exceeds the budget resources allocated to the Contract as determined and established prior to the launch of the process. Unacceptable bids are rejected.
- (c) Irregular, an incomplete bid or which does not comply with the requirements set out in the tender documents, or violates the applicable legislation, in particular regarding employment and environmental matters. Irregular bids may become regular after rectification provided that they are not abnormally low. The regularisation of irregular bids may not have the effect of changing the substantial features of the bids.

#### **5.2. Bid selection criteria**

Bids shall be selected in accordance with the fundamental public procurement principles, by applying the following criteria:

Criteria		Weighting
<b>Criterion 1</b>	<b>Technical value of the bid</b>	<b>80%</b>
Sub-criterion 1.1	Understanding of the challenges and expectations and the Terms of Reference (ToR)	10
Sub-criterion 1.2	Quality of the proposed methodology and processes	20
Sub-criterion 1.3	Skills and detailed references of the candidate; proven relevant experience in development project coordination	30
Sub-criterion 1.4	Good knowledge about the Thai context, good knowledge of the reconfiguration of the Burmese media sector, and good knowledge about the main media development operator in Myanmar and Thailand; Knowledge or experiences of working with journalists and civil society organizations; Knowledge and experiences in supporting in risk medias and exiled medias would be a plus;	20
<b>Criterion 2</b>	<b>Value of the bid price</b>	<b>20%</b>
	Price	20

## Article 6. AWARD OF THE CONTRACT

### 6.1. Supporting documents necessary for awarding the Contract

To be awarded the Contract, the prospective successful candidate must provide the documents listed below:

		Documents justifying capacity for an applicant company based <u>in France</u>	Documents justifying capacity for an applicant company established or domiciled <u>abroad</u>
1	<b>Identification</b>	No document required	A document issued by the authorities maintaining the professional register or an equivalent document certifying this entry or a document mentioning its name, company name, full address and nature of the entry in the professional register <sup>7</sup>
2	<b>Regarding tax obligations</b>	<b>A tax clearance certificate</b> , less than six months old, certifying the issuance of declarations and the payments corresponding to income tax, corporation tax and value added tax. This certificate is issued by the tax authorities with jurisdiction over the applicant <sup>8</sup> .	Equivalent
3	<b>Regarding social obligations</b>	<b>A certificate of provision of declarations and payment of social security contributions</b> , less than six months old, certifying that the applicant company is up-to-date with its social contribution declarations and the payment of social security payments and contributions. In France, this certificate is issued online on the Urssaf website.	Equivalent
4	<b>Regarding the obligations for employing disabled workers</b>	<b>When the applicant company employs at least 20 employees</b> : a certificate certifying the applicant company's compliance with regard to the obligation to employ disabled workers. This certificate is issued by the French social security contribution collection office (URSSAF).	Equivalent
5	<b>Regarding combating the employment of foreigners without permits<sup>9</sup></b>	<b>When the applicant company employs foreign salaried persons</b> : the list of the names of the foreign salaried persons employed by the applicant company and subject to a work permit, with the details required by the French Labour Code.	Equivalent

<sup>7</sup> For companies in the process of being set up, a document less than six months old from the authority authorised to receive the registration in the professional register and certifying the application for registration in said register.

<sup>8</sup> Companies subject to corporation tax and subject to VAT can obtain a tax clearance certificate electronically from their professional tax account, accessible from <https://www.impots.gouv.fr/>.

<sup>9</sup> Article D. 8254-2 of the French Labour Code (for economic operators based in France) and Art. D. 8254-3 of the French Labour Code (for economic operators established or domiciled abroad with employees in the country for the performance of this contract).

If the prospective successful candidate is in a situation which disqualifies it from the contracting process or cannot produce the necessary evidence, additional information or explanations required by CFI within the time limit, its application will be rejected and the tenderer whose bid has been ranked immediately below must be asked to produce the necessary documents.

#### **6.2. Notification of unsuccessful applicant companies**

CFI will inform all the other candidates that their bids have been rejected, stating the reasons why they have been rejected.

This notification informs the candidates of name of the successful tenderer and the reasons that led to its bid being chosen.

#### **6.3. Notice of cancellation of the process**

CFI may, at any time and up to the notice of award of the Contract, decide not to continue with the process<sup>10</sup>.

In this case, the abandonment of the procedure, an unilateral decision taken by CFI, will not give rise to any indemnity or compensation of any kind. The reasons for this decision remain at the discretion of CFI, which is not required to communicate them to the candidate.

#### **6.4. No compensation for unsuccessful candidate**

Unsuccessful candidates shall not be entitled to any compensation.

### **Article 7. ADDITIONAL INFORMATION**

To obtain any additional information about the tender process or documents, candidates must send a request in good time via the platform at <https://www.marchespublics.gouv.fr>

Candidates may ask their questions before the closing time indicated on the cover page.

CFI will answer these questions and send its answers via PLACE before the closing time indicated on the cover page.

Candidates are reminded that in the event of anonymous withdrawal of the tender file on the PLACE platform, the candidate will not have access to any correspondence and will not receive any notification relating to the publication of questions/answers or modification of the published tender file. Such correspondence is sent only to authenticated candidates.

### **Article 8. APPEALS PROCESS**

#### **8.1. Precisions concerning the time limits for lodging appeals**

- Pre-contractual summary proceedings before the conclusion of the Contract (Article 2 et seq. of Order No. 2009-515 of 7 May 2009 on the appeals procedures applicable to public procurement contracts).
- Contractual summary proceedings after the conclusion of the Contract (Article 11 et seq of Order No 2009-515 of 7 May 2009 on the appeals procedures applicable to public procurement contracts).

#### **8.2. Body and department responsible for appeals processes**

---

<sup>10</sup> Pursuant to Article R. 2185-1 of the French Public Procurement Code

Body responsible for appeals processes	Department from which information can be obtained concerning the lodging of appeals
Official name: Nanterre Judicial Court Postal address: 179-191 Avenue Joliot Curie Location / City: Nanterre Postcode: 92020 Country: France Telephone: 01 40 97 10 10 Internet address: <a href="http://www.justice.gouv.fr/">http://www.justice.gouv.fr/</a>	Official name: Registry of the Nanterre Judicial Court Postal address: 179-191 Avenue Joliot Curie Location / City: Nanterre Postcode: 92020 Country: France Telephone: 01 40 97 10 10 Internet address: <a href="http://www.justice.gouv.fr/">http://www.justice.gouv.fr/</a>

**Article 9. APPENDICES**

- Appendix No. 1 - Application Form (AF)

**END OF TENDER REGULATIONS (TR)**