

## **TENDER RULES**

Tender reference:  
2025JDUT-PURCHASING\_SUPPORT\_NGGM

## **SCOPE OF WORK**

PURCHASING SUPPORT TO ESA NEXT GENERATION  
GRAVITY MISSION (NGGM)

## **DEADLINE FOR SUBMITTING APPLICATIONS AND OFFERS**

**Wednesday, February 19<sup>th</sup> 2025 at 15:00 (GMT+01:00)**

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## PREAMBLE

The Consultation File (CF) is composed of the following elements:

N°	Title
TR	<p><b>The Tender Rules</b></p> <p>(TR - ref. TR-2025JDUT-PURCHASING_SUPPORT_NGGM-CC)</p> <p>and its two appendices:</p> <ul style="list-style-type: none"> <li>○ <u>Appendix 1</u> - the supplier information sheet (A1-TR-2025JDUT-PURCHASING_SUPPORT_NGGM-CC);</li> <li>○ <u>Appendix 2</u> - the applicant's references (A2-TR-2025JDUT-PURCHASING_SUPPORT_NGGM-CC);</li> </ul>
DC	<p><b>The Draft Contract</b></p> <p>(DC - ref. DC-2024JDUT-PURCHASING_SUPPORT_NGGM-CC)</p> <p>and its five appendices:</p> <ul style="list-style-type: none"> <li>○ <u>Appendix 1</u> - the certificate relating to the prevention of concealed or illegal work (ref. A1-DC-2025JDUT-PURCHASING_SUPPORT_NGGM-CC).</li> <li>○ <u>Appendix 2</u> - the Decomposition of the Global and Fixed Price (DGFP - ref. A2-DC-2025JDUT-PURCHASING_SUPPORT_NGGM-CC);</li> <li>○ <u>Appendix 3</u> - ONERA's closure days in 2025 (ref. A3-DC-2025JDUT-PURCHASING_SUPPORT_NGGM-CC);</li> <li>○ <u>Appendix 4</u> - Contractual clauses protecting French national defense secrets (ref. A4EN-DC-2025JDUT-PURCHASING_SUPPORT_NGGM-CC or A4FR-DC-2025JDUT-PURCHASING_SUPPORT_NGGM-CC)</li> <li>○ <u>Appendix 5</u> - <i>ONERA's charter for the proper use of IT resources</i><sup>1</sup></li> </ul>
CCAG-FCS	An English version of the General Administrative Clauses applicable to common supplies or services contracts (CCAG-FCS) in the version approved by the order of 30 March 2021 (ref. CCAG-FCS_EN-for information only) <sup>2</sup>
SOW	The complete and detailed <b>Statement of Work</b> , Technical Specifications (ref. NGGM-SoW-ONE-Purchasing Support Issue 1.0_Statement of work for the Purchasing Support on NGGM accelerometer project)
SRM	The <b>Skills and requirements Matrix</b> (SRM - ref. MATRIX-2025JDUT-PURCHASING_SUPPORT_NGGM-CC)

These documents are the property of ONERA. The information thus communicated shall not be used for any purpose other than the preparation of a response to the present consultation.

<sup>1</sup> The document will be provided at the time of contract notification to the Contractor.

<sup>2</sup> The document is attached to the consultation as information only. In case of interpretation or contradiction, only the French version shall prevail.

The CF can be downloaded from the French State Procurement Platform ("PLACE") <https://www.marches-publics.gouv.fr> on ONERA's buyer profile under the reference: **2025JDUT-PURCHASING\_SUPPORT\_NGGM**.

*Notes on downloading via PLACE:*

*1/ It is recommended that applicants register and login when downloading from PLACE; otherwise they will not be able to receive any messages relating to the procedure, exclusively sent by the "PLACE" website (e.g. modifications to the consultation files, answers to questions, etc.).*

*2/ E-mails sent by the "PLACE" platform are sent from the e-mail address [nepasrepondre@marches-publics.gouv.fr](mailto:nepasrepondre@marches-publics.gouv.fr). It is the responsibility of the applicant to ensure that emails sent from the PLACE are not filtered*

## 1 **PURPOSE – DESCRIPTION OF THE SERVICE AND STRUCTURE**

### 1.1 **Purpose**

This tender rules document defines the detailed rules of the procedure prior to the award of a contract for **the Purchasing Support to European Space Agency (ESA) Next Generation Gravity Mission (NGGM) for the benefit of the ONERA center in Chatillon in priority** and sporadically to potentially other projects if needed (notably other space programs and missions), meeting the specific requirements set out in the documents for this consultation.

### 1.2 **Funding**

This service will be funded from ESA's funds for the most part (and occasionally from ONERA's funds).

### 1.3 **Structure**

The concerned contract is a contract with parts. It consists of a firm part and two optional parts as follows:

Part	Purpose
Firm Part	<b>From notification to 31/12/2026 – WP1110 &amp; WP2110 – 2025 and 2026 activities mainly covering phase C of the development</b> Management of the Contract & Project Purchase baseline activities
Optional Part 1	<b>From 01/01/2027 to 31/12/2027 – WP1110 &amp; WP3110 – 2027 activities mainly covering end of phase D1 of the development</b> Management of the Contract & Project Purchase baseline activities
Optional Part 2	<b>From 01/01/2028 to 31/12/2028 – WP1110 &amp; WP4110 – 2028 activities mainly covering the realization and tests of the flight accelerometers</b> Management of the Contract & Project Purchase baseline activities

The firm part is enforceable upon the notification of the Contract.

The optional parts will be executed, if applicable, by service orders notified by ONERA. Optional part 2 can be confirmed only if optional part 1 has been confirmed too.

### 1.4 **Contract security**

The Contract corresponds to a contract qualified by ONERA as a "standard contract in a ZRR (*Zone à Régime Restrictif – Restricted Area*)" with access control (MZ).

## **2 TYPE AND CONDUCT OF THE PROCEDURE**

### **2.1 Procedure**

Pursuant to Articles L2512-1 and L2512-2 of the French Public Procurement Code (FPPC)<sup>3</sup>, ONERA applies the procurement procedures applicable to ESA for the specific purpose which is the subject of Section 1.1 above.

In accordance with the provisions of Article 13 of the ESA Procurement Regulations<sup>4</sup> and related Implementing Instructions, in light of the nature of the services and the amount at stake, the tender is being carried out according to an **open competitive procedure**.

### **2.2 Allotment**

The Contract consists of a single package. The nature of the services requires a coherent package, and continuity and uniformity in the performance of services over the entire duration of the project.

### **2.3 Variants and possible additional services**

Definitions	
Variant	Alternative offer
Possible additional services (PAS)	Addition of an extra functionality not necessary for the proper performance of the services and not modifying the basic offer. This can be seen as an option that can be confirmed or not by ONERA. In the event that the functionality is not confirmed, this shall not in any way compromise the basic offer.

#### **a. Variants**

"Free" variants, at the initiative of the applicant, are not allowed.

There are no variants "imposed" by ONERA.

#### **b. Possible additional services (PAS)**

The tender does not include any potential additional services (PAS).

### **2.4 Exchanges**

Throughout the consultation period, the applicant can exchange and asks questions to ONERA about the project and the procedure. **All exchanges shall exclusively take place via the PLACE online portal on ONERA's buyer profile** and all requests shall be received no later than seven (7) working days before the deadline for submission of applications and tenders (set out in front page). ONERA undertakes to provide an answer to all questions asked. No question arriving after the deadline will be handled. No oral questions shall be answered, in order to preserve the equal treatment of candidates and the transparency of the procedure.

All questions and the associated answers will be forwarded to all registered applicants, subject

<sup>3</sup> Available at: [https://www.legifrance.gouv.fr/codes/texte\\_lc/LEGITEXT000037701019/](https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000037701019/)

<sup>4</sup> Available at: [https://download.esa.int/docs/LEX-L/Contracts/ESA-REG-001\\_rev5\\_EN.pdf](https://download.esa.int/docs/LEX-L/Contracts/ESA-REG-001_rev5_EN.pdf)

to their general scope and with due respect for the confidentiality of the information provided by each applicant.

## **2.5 Modification of details of the consultation file**

ONERA reserves the right to make minor modifications to the Consultation File (CF), at the latest five (5) working days before the deadline set for the submission of applications and tenders. Applicants shall then submit a bid on the basis of the modified CF, without being able to make any complaint in this respect.

If, during the examination of the CF by the applicants, the deadline set for the submission of applications and tenders is extended, the previous provision shall apply in accordance with this new date.

## **2.6 Subcontracting**

The future contractor may subcontract the execution of one or more parts of the activities requested.

Subcontracting may be announced when the applicant submits their tender or at a later date, during the performance of the Contract, if authorized by ONERA by virtue of a special act according to Article 3.6 of the CCAG-FCS. Under all circumstances, any subcontracting shall be declared and submitted to ONERA for explicit prior acceptance before starting the execution of the subcontracted services.

Please note that full subcontracting is prohibited.

The applicant undertakes to pass on all the clauses and constraints of the present tender and of the future contract to any subcontractors approved by ONERA.

In accordance with article L2521-2 of the French Public Procurement Code, the rules defined in titles I and III of the French law n°75-1334 of December 31<sup>st</sup>, 1975 relating to subcontracting are applicable.

## **2.7 Contracts for additional services**

ONERA may award contracts to the future Contractor without prior advertising or competitive tendering, for services similar to those covered by the present Contract. The period during which ONERA may conclude such contracts may not exceed three years from the date of notification of the present Contract.

### 3 PRESENTATION AND ANALYSIS OF APPLICATIONS

#### 3.1 Presentation of the application file

##### a. General information

If the applicant relies on the professional, technical and financial capacities of other applicants (co-contractor, subcontractor), the applicant shall produce the same documents concerning them as those required for the applicant itself.

The documents requested in the file shall be written either in French or in English.

However, any document delivered by national competent authorities of the applicant's country may be provided in the official language of the country but the applicant shall then provide a translation of such documents (either in French or in English).

Whichever way the applicant chooses to present its application, its attention is drawn to the importance of sending all the requested documents

##### b. Administrative documents: content and form of presentation

The applicant shall provide all of the following elements:

No.	Document/ Information	Comments
C1	An <b>application letter</b> , including a sworn statement that the applicant does not fall within any of the cases in which they are prohibited from submitting an offer.	<b>model DC1</b> is available at the following address <a href="http://www.economie.gouv.fr/daj/formulaires-declaration-du-candidat">http://www.economie.gouv.fr/daj/formulaires-declaration-du-candidat</a> (+ <i>explanatory note</i> )
C2	A <b>declaration of competencies</b>	<b>model DC2</b> is available at the following address <a href="http://www.economie.gouv.fr/daj/formulaires-declaration-du-candidat">http://www.economie.gouv.fr/daj/formulaires-declaration-du-candidat</a> (+ <i>explanatory note</i> )
C3	ONERA <b>supplier information sheet</b> ( <u>appendix 1</u> to this document).	Completed and signed by a <b>person authorized to bind the applicant</b> .
C4	The <b>unique identification number</b> (SIREN no. issued by INSEE) <sup>5</sup> or, failing that, any document proving their company's registration, issued by the competent judicial or administrative authority in the country of origin, dating back no more than three months.	
C5	The <b>delegation of powers</b> in the event of signature by a person other than the person(s) identified as the applicant's "CEO" or "Directors". <sup>6</sup>	

<sup>5</sup>From this no., ONERA can access the necessary information concerning the (French) applicant on the site <https://annuaire-entreprises.data.gouv.fr> proof of registration, identification of the Directors etc.

<sup>6</sup>ONERA shall verify the authority to bind the applicant of the individual(s) by accessing the Officers page of this same site.



C6	A presentation of a list of services with characteristics similar to those required by ONERA, including the <b>supplier's experience in the purchase support and spatial environment</b> , a very succinct description for each service and indicating the approximate amount, the year and the recipient ( <u>appendix 2</u> to this document)	
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**For the present consultation, the applicant is authorized to submit its application using the “DUME” mode (to replace DC1 and DC2, documents C1 and C2 in the list above), directly accessible via the PLACE website.**

If appropriate and justified, the applicant can provide any other document proving its economic, financial, technical and professional ability to perform the services (for example, in the case of a newly established company).

In addition, the applicant is exempt from transmitting the application documents requested if they are contained in a free digital storage space (it shall then provide the information necessary to consult this storage space).

### **3.2 Assessment of the application**

#### **a. General information**

The application is assessed on the basis of the information and documents requested above. This takes into consideration the legal situation of the economic operator as well as their professional, technical (in particular global workforce, previous experience and references), economic, and financial guarantees and capacities (in particular revenue).

ONERA may analyze the application files at any time during the procedure and, at the latest, before the Contract is awarded.

After analyzing the content of the documents provided in the application file, ONERA rejects candidates who do not have sufficient capacity, those who do not present all the supporting documents requested in the application file, those who are in a situation where they are prohibited from submitting an offer, and those who have provided inaccurate information.

However, ONERA reserves the right to rectify any incomplete application or to request additional information on the documents and supporting evidence produced, within an appropriate deadline specified in the request for additional information.

#### **b. Tender restriction**

It should also be noted that the activity which is the subject of the present procurement pertains to the Future EO-1 Segment-1 Program, which is an optional program of ESA. To date, all the following ESA Member States, Cooperating and Associate Member States are participating in this Program: Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, The Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden, Switzerland, United Kingdom, Canada, Slovenia, Latvia, Lithuania, and Estonia (hereinafter referred to as the “Participating States”). Consequently, applicants shall belong to one of these Participating States.

## 4 PRESENTATION AND ANALYSIS OF OFFERS

### 4.1 Presentation of the offer

In support of their bid, applicants shall produce at least the documents listed below:

No.	Title	Signature	Formats
O1	The completed <b>draft Contract</b> and its Appendix 1	x	Word <u>and</u> pdf
O2	The <b>decomposition of the global and fixed price</b> (Appendix 2 to the above-mentioned draft Contract)	x	Excel <u>and</u> pdf
O3	The <b>contractual clauses protecting national defense secrets</b> (Appendix 4 to the above-mentioned draft Contract) either in English or in French	x	Word <u>and</u> pdf
O4	The completed <b>skills and requirements matrix</b> (SRM)	x	Excel <u>and</u> pdf
O5	A <b>technical proposal</b> written specifically to respond to this tender, describing in particular: <ul style="list-style-type: none"> <li>The applicant's methods to apply project management and purchasing support.</li> <li>The project team and the key personnel identified which will be dedicated to the project, with their comprehensive curriculum vitae, giving in particular the work experience of the person concerned, a brief description of the person's present job and responsibilities and a precise description of the person's experience to project purchasing and to the spatial environment in relation with the SOW.</li> </ul>		
O6	Original <b>bank details</b> of the company, containing all the information required for the payment of the services;	x	

The applicant may complete its offer with any other additional document (or information) deemed useful and relevant.

The documents listed above shall be written either in French or in English.

The period of validity of the offers is **3 months** from the deadline for submission of the offers which is mentioned in the first page or from the date of submission of updated and/or final offers, for later versions.

The procedures for sending offers are specified in section 5 below.

### 4.2 Analysis and evaluation of offers - award

#### a. Analysis and negotiation procedures

Prior to placing a Contract and following internal authorization ONERA reserves the right to negotiate with the applicant for which a final recommendation for awarding the Contract was made. The offer, as modified by such negotiations and agreed in writing shall be binding for the Contract.

Should such negotiations not be successful ONERA shall terminate negotiations and reserves the right to enter into negotiation with another applicant. Such decisions by ONERA may not give rise to any claims by applicants.

However, ONERA reserves the right to award the framework agreement on the basis of the initial offers received without negotiation.

#### **b. Reasons for eliminating offers**

The following offers are automatically eliminated:

- Inappropriate offers as well as those that remain irregular or financially unacceptable despite possible requests for additional information from ONERA and eventual negotiations;
- Offers that do not comply with the conditions of presentation set out in Section 4.1 of this document, after ONERA asked for corrections to be made.

#### **c. Objective criteria for evaluating offers**

To analyze and choose the most economically and technically advantageous offer, ONERA shall rely on the following award criteria with relative weighting given, for a total of 100 points:

Evaluation criteria		Weighting factor
1	Total amount (firm part and all optional parts included) and its decomposition <i>Note: The amounts proposed by the applicants shall be set in Appendix No. 2 to the draft Contract. Separate quotations sent by applicants will therefore not be taken into account.</i>	40 pts
2	Technical quality based on the technical proposal and the duly completed skills and requirement matrix <i>Note: It should be noted that the applicant must provide evidence to support the information it has entered in the matrix and in its technical offer. Information that is deemed to be insufficiently accurate or for which there is insufficient evidence, if any, will be disregarded and will be treated as a non-response.</i>	60 pts

## **5 CONDITIONS FOR SENDING AND DELIVERING THE COMPLETE FILE (APPLICATION AND OFFER)**

As the reception of the bids takes place in a single phase, the candidate shall send their application and tender file at the same time.

### **5.1 Submission of file**

The applicant is obliged to submit their complete file (application + offer) by electronic means: the submission of this complete file shall be done exclusively on the PLACE platform, <https://www.marches-publics.gouv.fr> on ONERA's buyer profile.

Should any problem arise on PLACE, a support and technical assistance service for the use of this electronic platform is available online:

<https://www.marches-publics.gouv.fr/faq/?token=cc45a6ac-d317-4235-b916-a75565762118>

*Remarks concerning applications submitted on PLACE:*

*1/ As a number of maintenance operations are carried out on PLACE on Wednesdays between 7 p.m. and 10 p.m., applicants are advised to avoid this period for submitting their application.*

*2/ Applicants are advised to adequately anticipate the verification of their workstation configuration according to the limitations detailed on the PLACE platform and the submission of their application in order to avoid last minute problems.*

*3/ The Applicant has the possibility of submitting several successive dossiers if a document has been forgotten or an error needs to be rectified. Each file submitted cancels and replaces the file previously submitted by the Applicant. As a result, only the last file submitted will be opened by ONERA. It shall therefore include all the required documents in support of the application and the offer.*

### **5.2 Backup copy**

The tenderer may also send, at the same time, a backup copy, on paper or on a digital medium such as a USB key, CD-ROM, etc. that shall include the same files or information as the dossier submitted on PLACE.

The backup copy may be opened by ONERA to replace the electronically transmitted file only in the following cases:

- If ONERA detects a virus in the electronically submitted file;
- If a file was submitted electronically but did not reach ONERA by the deadline;
- If the electronically transmitted file cannot be opened by ONERA.

It shall be sent in a **sealed envelope, indicating:**

**NOT TO BE OPENED / TENDER REF: 2024JDUT-PURCHASING\_SUPPORT\_NGGM**

COMPANY: .....

(Indicate the name of the tendering company)

It should be sent by registered mail with acknowledgement of receipt to:

ONERA  
Purchasing Department  
29 avenue de la Division Leclerc  
CS 90027

ONERA Direction des Achats  
29 Avenue de la Division Leclerc – CS 90027  
92322 CHATILLON Cedex - FRANCE

92322 CHATILLON Cedex  
FRANCE

In order to be opened, the backup copy shall arrive before the submission deadline indicated on the first page.

## **6 ELECTRONIC SIGNATURE OF THE DOCUMENTS**

ONERA is equipped with electronic signature certificates and therefore encourages the electronic signature of their contracts and framework agreements wherever possible.

Thus, ONERA encourages the tenderer and potentially future contractor of the contract/framework agreement, to equip their company with qualified electronic signature certificates that comply with the eIDAS Regulation (Regulation (EU) no. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market, for the persons with the power to bind the company.

The contractor/framework agreement holder will then be able to use the signature tool available on PLACE to sign the contractual documents in the authorized signature formats XAdES, CAdES, or PAdES.

The signature will be validated by ONERA if all the checks carried out by the PLACE tool are passed and if the signature certificate holder user has the authority to bind the company. For information purposes, the checks carried out by the tool available on PLACE are the following:

1. Identity of the signatory;
2. Whether the signatory's certificate belongs to one of the categories of certificates mentioned in Article 2 of the Order of 22 March 2019 on the electronic signature of public procurement contracts;
3. Compliance with the signature format mentioned in Article 3 of the Order of 22 March 2019;
4. Non-expired and non-revoked nature of the certificate on the date of signature;
5. Integrity of the signed document.