



CONTRACT FOR INTELLECTUAL SERVICES

N° CLS-2025-0021

Agence Française de Développement
5 Rue Roland BARTHES
75012 PARIS

Subject-matter: DEVELOPMENT OF EQUALITY AND INCLUSION POLICY AND TOOLS TO THE BENEFIT OF THE CEPF (CRITICAL ECOSYSTEM PARTNERSHIP FUND)

Deadline for submission of offers

Date: le 17/02/2025

Time: 12:00 (Paris Time)

[Document for information](#)

If there is a contradiction between the English and French versions, the French version takes precedence

Rules of the procurement procedure

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1. Subject-matter of the contract

The subject-matter of the procurement procedure is development of equality and inclusion policy and tools to the benefit of the CEPF (Critical Ecosystem Partnership Fund).

Place of implementation of the services: International.

1.1 Structure of of the contract

The procurement procedure shall not be divided into lots. The services will result in a single contract. The grounds for the non-division of the procurement procedure into lots are as follows:

3 - The transfer in separate batches is likely to restrict competition or may make it technically difficult or financially more expensive to perform services.

This contract is also not divided into tranches or purchase orders.

1.2 Duration of the contract – Time extension – Implementation deadlines

The duration of the contract, the modalities for time extension and the implementation deadlines are included in the letter of agreement.

1.3 Contract for similar services

The services covered by this consultation may give rise to a new contract for the performance of similar services, awarded under the negotiated procedure without prior publication and without competitive tendering and which will be performed by the contractor of this contract.

2. Organisation of the procurement procedure

2.1 Procurement procedure

This procurement procedure is launched in accordance with the provisions of Articles R. 2123-1 and R. 2123-5 of the Public Procurement Code under a simplified open procedure with possible negotiation, freely defined by the contracting authority.

The contracting authority will analyse the offers of the candidates on the basis of the evaluation criteria and will conduct negotiations with all selected candidates.

In accordance with Article R. 2144-3 of the Public Procurement Code, the verification of the candidates' ability to exercise their professional activity, economic and financial capacity and technical and professional capacities may be carried out at any time during the procedure and at the latest before the award of the contract.

Following these negotiations, it will select the most economically advantageous tender on the basis of the evaluation criteria set out in the notice and/or these rules of the procurement procedure.

2.2 Provisions related to consortia

The contract will be awarded to either a single company or to a consortium of companies.

Possibility of submitting several offers for the contract by acting both as individual candidates and as members of one or more consortia:

☐ Yes

☒ No

Or as members of several consortia:

☐ Yes

☒ No

2.3 Authorised variants

The submission of an authorised variant is not allowed.

2.4 Required variants

No required variants are foreseen.

2.5 Detailed changes to the standard bidding documents

The contracting authority reserves the right to bring no later than 4 days before the deadline for submission of offers, detailed changes to the standard bidding documents. Candidates will then be required to respond on the basis of the amended documents without being able to raise any complaints on this subject.

If the above deadline is extended during the review of the bidding documents by the candidates, the previous provision is applicable according to this new date.

2.6 Offer validity period

The period of validity of the offers 120 days from the deadline for the submission of the final offer.

3. Contents of the standard bidding documents

- The Schedule of Specific Administrative Clauses
- The letter of agreement framework

4. Access to standard bidding documents

The contracting authority informs candidates that the bidding documents are in electronic form.

The Bidding Documents for Companies (Dossier de Consultation des Entreprises - DCE) can be consulted and downloaded free of charge at the following address:

<https://www.marches-publics.gouv.fr/>.

In order to be able to unzip and read the documents made available by the contracting authority, economic operators must have at their disposal the softwares allowing them to read the following formats:

- Compressed files to *.zip standard (readable by Winzip, Quickzip)
- Adobe® Acrobat® *.pdf (readable by Adobe Reader software)
- *.doc or *.xls version 2000-2003 (readable by Microsoft Office or OpenOffice)
- Rich Text Format *.rtf
- If necessary, the DWF format (readable by Autocad software, or viewers such as Autodesk DWF viewer,...).

When downloading the bidding documents, it is recommended for the company to create an account on the electronic platform where it will provide the name of the bidding organisation and an e-mail address in order to keep it informed of any changes that may occur during a procedure (adding a document to the DCE, sending a list of answers to the questions received...).

The candidate is informed that only the copy of the bidding documents held by the contracting authority is authentic.

5. Submission of applications and offers

Candidates will be required to submit the following documents in the French language or translated into French.

5.1 Required application documents:

Each candidate will have to produce the application form attached as an annex to this document, the following documents will also be required:

6 Declaration on honour justifying that the candidate does not enter in any of the cases mentioned in articles L. 2141-1 to L. 2141-5 or in articles L. 2141-7 to L. 2141-10 of the Public Order Code (document in annex)

- Where applicable, the document(s) relating to the powers of the person entitled to engage the joint venture
- In the case of grouping, the authorisation document for the representative signed by the members of the delegation
- In case of subcontracting, the declaration of subcontracting (template attached to the contract).

The candidate may prove its financial capacity with any other document deemed equivalent by the contracting authority if he is objectively unable to submit part of the information related to its financial capacity.

In the event where a candidate wishes to use the professional, technical, and financial capacities of any intervening party (subcontractor in particular) to justify its own capacity, the candidate shall submit the documents related to these intervening parties described in the abovementioned article. He shall also prove that he will benefit from the intervening party's capacities for the implementation of the contract with a written undertaking from the intervening party.

In accordance with article R. 2143-16 of the Public Procurement Code, candidates shall submit a French translation of all documents drafted in another language as part of their application.

Candidates are made aware that, in accordance with article R. 2143-13 of the Public Procurement Code, they are not required to provide supporting documents that the contracting authority can directly obtain through:

- An electronic system of provision of information managed by an official body, provided that access to this system is free and, if need be, that necessary information pertaining to the access to this information are contained in the standard bidding documents;
- A digital storage space, provided that all the information necessary to its consultation is included in the standard bidding documents and that access to it is free of charge.

Candidates are invited to use the electronic safe available free of charge on their account at <https://www.marches-securises.fr/>.

In addition, in accordance with the provisions of article R. 2143-14 of the Public Procurement Code, candidates are not required to provide to the contracting authority supporting documents and means of proof which have already been transmitted during a previous procurement procedure and which remain valid.

Finally, in accordance with the provisions of Article R. 2143-4 of the Public Procurement Code, the contracting authority agrees that candidates may submit their applications in the form of a single European market document (DUME) established in accordance with the model laid down by the European Commission Regulation establishing the standard form for the single European market

document, in place of the declaration on honour and the information mentioned in Article R. 2143-3. Candidates may create or reuse a DUME in its electronic version via the following URLs: <https://ec.europa.eu/tools/espd/> OU <https://dume.chorus-pro.gouv.fr/>

Its is specified that the contracting authority does not allow candidates to solely indicate that they have the required aptitude and capacities in the DUME without providing specific information on them.

5.2 Documents necessary for the selection of the offer

For the selection of the offer, candidates must submit the following documents:

- The **contract** (CU) (hereby attached, to be completed, dated and electronically signed)

The candidate shall also specify the nature and amount of the scope of work he intends to subcontract and the list of subcontractors he intends to submit for approval and acceptance by the contracting authority.

- The **breakdown of the global fixed price.**

- A **methodological note or a supporting memorandum** written on the basis of the framework presented in the annex "Imposed Response Framework" to the Rules of the Procurement Procedure.

The schedule of specific administrative clauses (ToR) and the documents provided by the contracting authority, except for those referred to hereinabove and their annexes, are not to be submitted in the offer. Only documents held by the contracting authority are binding.

Candidates are reminded that signing the letter of agreement constitutes acceptance of all contractual documents.

6. Evaluation of applications, offers and award of the contract

6.1 Evaluation of applications

The AFD retains the right to evaluate offers before evaluating applications. In this case, the AFD may choose to solely evaluate the applications of the candidate the AFD considers for contract award.

The evaluation criteria of applications are as follows:

- Technical and financial capacities and guarantees
- Professional capacities

Applications that do not satisfy the financial, technical, and professional requirements of the contract shall be rejected.

6.2 Evaluation of offers

The evaluation criteria of offers are weighted as follows:

1. Price of service <i>The maximum score (NM) will be awarded to the lowest-ranked candidate. Other candidates will be assigned a score based on the following formula:</i> $N = NM \times (DMO/NAO)$ <i>where N is the candidate's score, DMO the lowest bid amount,</i>	40%
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NAO the bid amount to be noted.	
2. Technical value	60%
2.1. <u>Quality of the methodology</u> Quality and relevance of the proposed methodology for the implementation of services.	35 points
2.2. <u>Quality of the profiles</u> <u>Quality of profiles dedicated to the performance of services.</u>	25 points

The modalities of the negotiation are defined in the article *Procurement procedure*.

The contracting authority will reject inappropriate offers, **and after possible negotiation with all the selected candidates**, will choose the most economically advantageous tender.

The contracting authority reserves the right to enter into a negotiation phase, if necessary, with candidates who have obtained the score of 20/35 in the sub-criterion quality of the methodology.

During these negotiations, the successful candidates may be invited as many times as necessary by the contracting authority, under strict conditions of equality, to specify, supplement or amend their tenders without making any substantial changes to the specifications.

The AFD reserves the right to organize several rounds of negotiations with the selected candidates.

The AFD also reserves the right to award the contract on the basis of the initial offer, without negotiation.

6.3 Award of the contract

Prior to the signing of the contract, and in accordance with article R2144-7 of the Code of public procurement, the successful tenderer must transmit on the supplier attestation collection tool that has been provided by the contracting authority (Provisis tool) the following documents requested:

- A valid document attesting to the effective registration of the structure (extract K-bis or equivalent);
- A valid certificate issued by the competent authorities certifying that the candidate is up to date with his social obligations (URSSAF, RSI, AGESEA, MDA...);
- The nominal roll of foreign workers outside EC or posted, employed by the structure or failing that a certificate on the honour of non-employment of foreign workers outside EC (dated less than 6 months);
- A valid tax certificate issued by the competent authorities certifying that the candidate is up to date with his or her tax obligations;
- Valid civil and/or professional liability insurance certificate..

In order to satisfy this last obligation, the candidate established in a State other than France must produce a certificate issued by the administrations and bodies of the country of origin. Where such a certificate is not issued by the country concerned, it may be replaced by a declaration on oath, or in States where such an oath does not exist, by a solemn declaration made by the person concerned before the competent judicial or administrative authority, a notary or a qualified professional body of the country.

If the candidate fails to provide these documents before the deadline, his offer shall be rejected and

he shall be eliminated from the process.

The next candidate will then be requested to provide the required certificates prior to the award of the contract.

7. Submission requirements for applications and offers

Documents may be submitted electronically only to the following address: <https://www.marches-publics.gouv.fr/>.

The reference time zone will be (GMT+01:00) Paris, Brussels, Copenhagen, Madrid.

Each submission will be subject to a certain date of receipt and an electronic acknowledgement of receipt.

It is recommended to connect to the platform at least 2h before the date of submission of the offers. In case of difficulty or technical problem please contact the platform PLACE support (<https://www.marches-publics.gouv.fr/>).

Prepare in advance:

Need for a digital certificate - Advance configuration of the workstation - recommendation to prepare with the test Procurement procedure.

In the event of an electronic response, the electronic signature of certain documents is required.

The bidder must have previously purchased an electronic certificate. Obtaining an electronic certificate takes several days or even weeks. If the bidder does not have a valid electronic certificate as part of the response to an electronic contract it is imperative that the bidder request it in advance.

It is also strongly recommended that the bidder take steps to ensure that its electronic response is filed on time. A test of the workstation configuration and test procurements are available on the platform.

Accepted file formats:

In the case of electronic submission of a response, the documents provided must be in one of the following formats, otherwise the offer will be inadmissible:

- Proprietary Microsoft office automation format compatible with version 2003 (.doc,.xls and.ppt),
- Universal text format (.rtf),
- PDF format (.pdf),
- Image formats (.gif,.jpg and.png),
- Format for plans (.dxf and.dwg).

Any document containing a computer virus will be subject to security archiving and will be deemed never to have been received. The relevant candidate will be informed. Under these conditions, candidates are advised to have their documents checked by an anti-virus software before submitting them.

Electronic signature of the response files:

The bidder's documents must be signed electronically, as detailed below.

In accordance with the decree of 22 March 2019 on the electronic signature of public procurement contracts, the candidate must comply with the conditions related to:

- the signature certificate of the signatory,
- the signature tool used (software, online service, initials where applicable), which must produce electronic signatures in accordance with regulatory formats. (see annex)

General reminders: ZIP file and scanned signature:

Documents transmitted electronically will be re-materialized after the opening of the envelopes. Applicants are informed that the award of the contract may result in the handwritten signature of the contract paper.

- Each file to be signed must be signed individually, so that each signature can be verified independently of the others,
- A signed zip file is not accepted as equivalent to the signature of each document that constitutes the zip file,
- A scanned handwritten signature has no value other than that of a copy and cannot replace the electronic signature.

Backup copie :

Candidates may also send, within the deadline for the submission of offers, a backup copy on electronic physical medium (USB key) or in paper format. This copy shall be sent to the address below, in a sealed envelope and must include the following information: "backup copy", the identification of the procedure concerned and the company's contact details:

Group Purchasing Division
5 Rue Roland Barthes
75012 Paris
FRANCE

The documents in the backup copy must be signed (for documents whose signature is mandatory). If the physical medium chosen is paper, the signature shall be handwritten. If the physical medium chosen is electronic, the signature shall be electronic.

This backup copy may be opened in the cases described in Article 2 II of the decree of 22 March 2019 setting out the procedures for making procurement and backup documents available.

The unopened envelopes containing the backup copy will be destroyed at the end of the procedure by the contracting authority.

8. Additional information

To obtain all additional information related to this procurement procedure, candidates should send their request in due time:

- Electronically, exclusively on the electronic platform, at the following URL:
<https://www.marches-securises.fr/>

Only requests sent at least 6 days before the deadline for receipt of offers will be answered by contracting authority.

A response will be sent no later than 4 days before the deadline for receipt of offers to candidates who have downloaded the bidding documents from the electronic platform after having previously identified themselves.

For information on the submission of electronic offers, please refer to article *Requirements for sending and submitting applications and/or offers* in this document.

9. Appeals procedures

This decision may be appealed before the competent Administrative Court.

The remedies available to the candidate are:

- Pre-contractual interlocutory procedure provided for in articles L. 551-1 to L. 551-12 and R. 551-1 to R. 551-6 of the Code of Administrative Justice (CJA), and which may be used before the contract is signed.
- Contractual interlocutory procedure provided for in articles L.551-13 to L.551-23 and R.551-7 to 551-10 of the CJA, and which may be used within the time limits provided for in article R. 551-7 of the CJA, after the signature of the contract.
- Recourse of full jurisdiction to contest the validity of the contract, open to third parties within 2 months of the fulfilment of the appropriate publicity measures.

ANNEX : DECLARATION ON HONOUR

I, the undersigned
 Acting in the capacity of
 Name and address of the company:.....

a) declares on his honour:

- ☐ be the legal representative of the company identified in the legal documents
☐ or hold an authorisation authorizing it to engage the company in the context of this consultation
 (delegation of signature communicated)

b) declares on his honour that he does not fall into one of the cases of exclusion provided for in articles L. 2141-1 to L. 2141-5 or articles L. 2141-7 to L. 2141-10 of the Public Procurement Code.

Please note: When an economic operator is, during the procurement procedure, subject to one of the exclusion cases mentioned in Articles L. 2141-1 to L. 2141-5, Articles L. 2141-7 to L. 2141-10 or Articles L. 2341-1 to L. 2341-3 of the Public Procurement Code, he shall inform the contracting authority without delay of this change in situation.

Documents of proof available online:

Link at which supporting documents and means of proof are directly accessible free of charge, as well as all the information necessary to access them:

- Link:

- Information necessary for access:

.....

c) declare on my honour that I am not, and that none of the members of my consortium, nor of my suppliers, contractors, consultants and subcontractors, appear on the lists of financial sanctions adopted by the United Nations, the European Union and/or France, in particular as part of the fight against terrorist financing and violations of international peace and security and undertake to inform the Agency without delay of any change in the situation.

Done at

On.....

Signature

.....

Annex : Imposed response framework

The Service Provider's replies must be written in English and shall not exceed 35 pages excluding the appendix and CV.

These responses must follow the following outline:

A – Summary of your offer

- A.1** - Understanding the AFD's expectations
- A.2** - Summary of the steps of your involvement
- A.3** - General timetable of the assignment

B - Strengths and added value of your offer to carry out this assignment

C - Detailed description of your offer

- C.1** - Detailed description of the content of the proposed steps (diagnosis, analyses, scenarios, action plan, reporting...)
- C.2** - Means used
- C.3** - Instances and practical procedures for managing the assignment
- C.4** - Detailed table of deliverables
- C.5** - Detailed planning

D - Recommendations of the service provider for the successful completion of the assignment

E - Overview of the team to be working on the assignment

- E.1** - Team composition and allocation of responsibilities among its members
- E.2** - CVs of the speakers (maximum 3 pages per speaker)

ANNEX: REQUIREMENTS RELATED TO THE SIGNATURE CERTIFICATE

Signature certificate:

The signatory's signature certificate must comply with the "eIDAS" regulation or equivalent and comply with the required level of security. The RGS (General Safety Standard) has been replaced by the "eIDAS" regulation since 1 October 2018.

However, candidates who already have an "RGS" certificate can still use it until the end of its validity period.

- Case 1: Certificate issued by a " trusted " Certifying Authority - No proof required

The signature certificate is issued by a Certifying Authority mentioned in the following list of trust:

<https://www.ssi.gouv.fr/administration/visa-de-securite/>

European candidates will also find the complete list of service providers on the list of trust maintained by the European Commission:

<https://webgate.ec.europa.eu/tl-browser/#/tl/FR>

In this case, the bidder does not have to provide any proof on the signature certificate used to sign its response.

- Case 2: The electronic signature certificate is not referenced on a trusted list - Different supporting documents to be provided

The electronic platform accepts all electronic signature certificates with security conditions equivalent to those of the General Security Repository (GRS) and "eIDAS".

The candidate ensures by himself that the certificate he uses is at least compliant with the security level defined by the General Security Standard (GSR) or "eIDAS", and provides the supporting documents in his electronic response.

The candidate also provides all the technical elements allowing to contracting authority to ensure the good technical validity of the certificate used.

Thus, the signatory must transmit with his electronic response the following elements:

(a) any element allowing verification of the quality and security level of the signature certificate (proof of the qualification of the Certifying Authority, certification policy, address of the website where the Certifying Authority is referenced),

(b) the technical tools for verifying the certificate (complete certification chain to the root Certification Authority, download address of the last update of the certificate revocation list).

It is specified that all these elements must be free of charge for the buyer to access and use, and must be accompanied, if necessary, by clear instructions for use.

Signature tool used to sign files:

The regulations allow the bidder to use the signature tool of his choice.

- Case 1: The bidder uses the platform signature tool - No justification required

The platform includes an electronic signature tool, which produces signature tokens in the regulatory format XAdES.

In this case, the bidder does not have to provide any justification on the electronic signatures transmitted and the signature tool used.

- Case 2: The bidder uses a signature tool other than the one integrated into the platform - Different supporting documents to be provided

When the candidate uses a signature tool other than the one provided on the platform, he or she must comply with the following two obligations:

- a) Produce XAdES, CAdES or PAdES signature formats.
- (b) Enable verification by transmitting in parallel the elements necessary to verify the validity of the signature and the integrity of the document, free of charge.

It is specified that all these elements must be free of charge for the buyer to access and use, and must be accompanied, if necessary, by clear instructions for use.