



PUBLIC MARKET FOR INTELLECTUAL SERVICES

French Development Agency

5 Rue Roland BARTHES

75012 PARIS

Subject: Technical assistance in the waste management project and technical closure of an open-air landfill site in the upper valley - Rio Negro Province, Argentina.

Deadline for submission of tenders

Date: 04/03/2025

Time: 12:00 (Paris time)

Rules of the consultation

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As of 1 January 2025, the French Development Agency will change its buyer profile and will now use the State Purchasing Platform, known as “PLACE” for the publication of its consultations:

- New publications from 1 January 2025 will be available via the PLACE buyer profile;
- The current consultations, created on the “secure markets” buyer profile will continue until they are allocated;
- Companies with an existing framework agreement will be solicited via the PLACE buyer profile for new subsequent contracts.

Direct link to the PLACE platform and to the user guides: [PLACE - State procurement platform \(public-contracts.gouv.fr\)](https://public-contracts.gouv.fr).

1. Subject matter of the contract

The purpose of the consultation is: Technical assistance in the framework of the waste management project and technical closure of an open-air landfill in the upper valley - Rio Negro Province in Argentina.

Place of performance: Argentina and at a distance.

1.1 Form of the market

The consultation is not broken down into lots. The services will result in a single market. This contract is not divided into instalments or purchase orders.

1.2 Contract Term – Renewal – Lead Time

The duration of the contract, the renewal procedures and the time limits for execution are included in the single contract.

1.3 Similar service contracts

The services, which are the subject of this consultation, may give rise to a new contract for the provision of similar services, which are awarded under the negotiated procedure without prior publication and without any call for competition and shall be executed by the successful tenderer of this contract.

2. Organization of the consultation

2.1 Procurement procedure

This consultation is carried out in compliance with the provisions of articles R. 2123-1 and R. 2123-5 of the Public Procurement Code according to an adapted open procedure with possible negotiation, freely defined by the contracting authority. The contracting authority will analyse the tenders of the candidates on the basis of the tender selection criteria and select the two candidates with whom it will negotiate.

In accordance with article R. 2144-3 of the Public Procurement Code, verification of the ability to carry out professional activity, the economic and financial capacity and technical and professional abilities of the applicants may be carried out at any time during the procedure, but no later than

before the award of the contract. At the end of these negotiations, it will select the most economically advantageous offer based on the selection criteria for offers defined in the notice and/or this regulation of the consultation.

2.2 Justification in case of non-allotment

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

2.3 Provisions on groupings

The contract may be awarded to a single undertaking or a group of undertakings.

If the contract is awarded to a joint group, the joint agent shall be jointly and severally liable to each of the members of the group.

Possibility of submitting several tenders for the contract, acting both as individual candidates and members of one or more groups:

☐ Yes

☒ No

Or as members of several groupings:

☐ Yes

☒ No

2.4 Free variants

Free variants are not allowed.

2.5 Imposed variants

No PSE is planned.

2.6 Change to CED

AFD reserves the right to make any detailed changes to the CED no later than **4 days** before the deadline for submission of tenders. The bidders will then have to respond on the basis of the modified file without being able to make any claims on this subject. If, during the examination of the application by the candidates, the above deadline is extended, the previous provision shall apply in accordance with this new date.

2.7 Period of validity of the offers

The time limit for the validity of tenders is 180 days from the final tender submission deadline.

3. Contents of the consultation file

The consultation file includes the following documents:

- This Consultation Regulation;
- The single contract;
- The Special Administrative Clauses Book (CCAPA) and any annexes thereto;
- The terms of reference (rTD) and any annexes thereto;
- The breakdown of the global and flat-rate price.

4. Withdrawal of consultation package

The contracting authority informs candidates that the consultation file is dematerialized.

The Business Consultation File (CLD) can be accessed and downloaded free of charge at: <https://www.marches-publics.gouv.fr/>.

In order to be able to unpack and read the documents made available by the contracting authority, economic operators will need software allowing them to read the following formats:

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

When downloading the consultation file, it is recommended that the company create an account on the dematerialization platform where it will enter the name of the bidder organization, and an e-mail address to keep the Commission informed of any changes that may occur during a procedure (adding a document to the DCE, sending a list of answers to questions received...). The applicant is informed that only the copy of the consultation file held by the contracting authority is authentic.

5. Submission of applications and offers

Applicants will be required to produce the following documents in French.

5.1 Elements required for the selection of applications:

Each candidate must submit the application form attached to this document, which will be accompanied by the following documents:

- Declaration on the honour justifying that the candidate does not enter in any of the cases mentioned in articles L. 2141-1 to L. 2141-5 or articles L. 2141-7 to L. 2141-10 of the Public Procurement Code (document attached)
- If applicable, the document(s) relating to the powers of the person entitled to engage the company
- In the case of a group, the document authorizing the representative signed by the members of the group
- In case of subcontracting, the declaration of subcontracting (model attached to the Single Contract)

The candidate may prove his or her ability by any other document considered equivalent by the contracting authority if he or she is objectively unable to produce any of the information requested concerning his or her financial capacity.

If, to justify his abilities, the candidate wishes to use the professional, technical and financial capabilities of another party (in particular a subcontractor), he must produce the documents relating to this party referred to in this article above. The contractor must also provide evidence that it will have the capacity of this contractor to perform the contract by a written commitment from the contractor.

Under article R. 2143-16 of the Public Procurement Code, candidates are required to submit a translation in French to their application for a contract in another language.

Candidates are advised that, in accordance with the provisions of article R. 2143-13 of the Public Procurement Code, they are not required to provide supporting documents and evidence that the buyer can obtain directly through:

- an electronic system for the provision of information administered by an official body, provided that access to it is free and that, where appropriate, all the information necessary for its consultation is included in the application file;
- Digital storage space, provided that all the information necessary for its consultation is included in the application file and that access to it is free.

In addition, pursuant to the provisions of article R. 2143-14 of the Public Procurement Code, the candidates are not required to provide the contracting authority with supporting documents and evidence which have already been submitted during a previous consultation and which remain valid.

Finally, according to the provisions of article R. 2143-4 of the Public Procurement Code, the contracting authority accepts that candidates submit their application in the form of a single European contract document (ESPD) drawn up in accordance with the model set out in the European Commission's Regulation establishing the standard form for the single European market document, instead of the declaration on honour and the information referred to in Article R. 2143-3. Candidates can create or reuse an electronic ESPD via one of the following URLs: <https://ec.europa.eu/tools/espd/> OU <https://dume.chorus-pro.gouv.fr/> It is specified that the contracting authority does not allow candidates to indicate in the single European contract document that they have the required aptitude and abilities without providing any specific information about them.

5.2 Elements necessary for the selection of the offer

For the selection of the offer, applicants must produce the following documents:

- The single contract, **in French only** (attached to complete, date and sign electronically)

The candidate will also specify the nature and amount of services that he or she intends to subcontract, as well as the list of subcontractors that he or she proposes to submit for approval and acceptance by the contracting authority.

- The breakdown of the global flat-rate price.
- A methodological note or technical brief based on the outline presented in the Annex "Mandatory Response Framework" to this Consultation By-law.

The ACSC and documents provided by the contracting authority, with the exception of those referred to above and their annexes are not to be submitted in the tender. Only documents held by the contracting authority are authentic.

Candidates are reminded that the signature of the commitment document constitutes acceptance of all contractual documents.

6. Evaluation of applications, tenders and award of contracts

6.1 Selection of applications

The criteria for application and selection are **technical, financial and professional abilities**.

6.2 Selection of candidates

AFD reserves the right to analyse offers before applications. In this case, it may limit the examination of the application documents to the only candidate to whom it intends to award the contract.

The criteria for eligibility are:

- Technical and financial guarantees and capacities
- Occupational skills

Applications that do not provide sufficient financial, technical and professional guarantees for the purpose of the service are declared inadmissible.

6.3 Judgment of tenders

The criteria for judging tenders are weighted as follows:

Price criterion	20/100
<p>Definition and assessment of the criterion: The highest score (NM) will be awarded to the lowest bid. The other candidates will be assigned a grade calculated on the basis of the following formula:</p> <p>$N = NM \times (OMD/NOAA)$ where N is the candidate's grade, OMD is the lowest bid amount, OAA is the bid amount to be noted.</p>	

Technical criteria	75/100
Technical criterion 1 – Quality of methodology and organization <ul style="list-style-type: none"> - Understanding needs; - General approach; - Work plan. 	35/100
Technical criterion no. 2 – Quality of profiles Technical sub-criterion no. 1 –Quality of the chief/chief of mission expertise (10 points) <ul style="list-style-type: none"> • Main and additional qualifications judged on the CV (diplomas and other skills necessary for the accomplishment of the mission); • Significant experience in the areas of expertise described in the ToR. Technical sub-criterion no. 2 –Quality of the waste engineer expertise (8 points) <ul style="list-style-type: none"> • Main and additional qualifications judged on the CV (diplomas and other skills necessary for the accomplishment of the mission); • Significant experience in the areas of expertise described in the ToR. Technical sub-criterion 3 – Quality of the economics and management expertise (8 points) <ul style="list-style-type: none"> • Main and additional qualifications judged on the CV (diplomas and other skills necessary for the accomplishment of the mission); • Significant experience in the areas of expertise described in the ToR. Technical sub-criterion n°4 –Quality of the sociology expertise (8 points) <ul style="list-style-type: none"> • Main and additional qualifications judged on the CV (diplomas and other skills necessary for the accomplishment of the mission); • Significant experience in the areas of expertise described in the ToR. Technical sub-criterion n°5 –Quality of additional expertise (6 points) <ul style="list-style-type: none"> • Main and additional qualifications judged on the CV (diplomas and other skills necessary for the accomplishment of the mission); • Significant experience in the areas of expertise described in the ToR. 	40/100
Sustainable development criterion	5/100
Proposed measures to reduce the ecological footprint of services (reduction/intelligent organization of the number of flights, user guides, good practices, etc.)	

The negotiation procedures are defined *in the Procurement Procedure* article.

The contracting authority will reject inappropriate tenders and select, after a first ranking based on the criteria defined above, two candidates who may be admitted to negotiations. After possible negotiation with these candidates (unless there are insufficient candidates), the contracting authority will select the offer which is economically most advantageous.

In the course of these negotiations, successful candidates may be invited as often as necessary by the contracting authority under strict conditions of equality, to specify, supplement or amend their tender without any substantial changes being made to the specifications.

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

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

6.4 Contract award

Prior to the signature of the contract, and in accordance with article R2144-7 of the Public Procurement Code, the successful tenderer must transmit on the tool for collecting supplier attestations provided by the contracting authority (Provigis tool) the documents requested below:

- A valid document certifying the actual 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 list of foreign workers outside the EC or posted, employed by the structure or otherwise a certificate on honour of non-employment of foreign workers outside the 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;
- A valid certificate of civil and/or professional liability insurance.

In order to satisfy this last obligation, the candidate established in another state than France must produce a certificate issued by the administrations and organizations of the country of origin. Where such a certificate is not issued by the country concerned, it may be replaced by an affidavit or, in States where no such affidavit exists, by a solemn declaration made by the person concerned before the competent judicial or administrative authority, a notary or qualified professional body in the country.

Failure to produce these documents within the time limit set, will result in the unsuccessful tenderer's bid being rejected and the tenderer being eliminated. The next candidate will then be asked to produce the required certificates and attestations before the contract is awarded.

7. Conditions for sending and submitting applications and tenders

Electronic transmission of documents can only be done at the following address:
<https://www.marches-publics.gouv.fr/>.

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

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

It is strongly recommended to initiate the bid submission **at least 2 hours before the BRL**.

If you have any problems, please contact PLACE platform support (<https://www.marches-publics.gouv.fr/>)

Prepare in advance:

Digital certificate required - Workstation setup in advance - recommendation to prepare with Test Consultation.

In the case of an electronic response, some documents require an electronic signature.

The bidder must have previously acquired 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 a dematerialized contract, it is imperative that they apply for one in advance.

The bidder is also strongly encouraged to arrange for its electronic response to be filed within the specified time frame. A test of the workstation configuration and test consultations are available on the platform.

Accepted file formats:

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

- Proprietary Microsoft compatible 2003 desktop format (.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 securely archived and deemed never to have been received. The candidate concerned will be informed. Under these conditions, candidates are advised to submit their documents to an anti-virus before sending.

Electronic signature of response files:

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

In application of the Order of 22 March 2019 on the electronic signature of public procurement contracts, the candidate must comply with the conditions relating to:

- the signatory's certificate of signature,
- the signature tool used (software, online service, paraphraar if applicable), to produce electronic signatures in accordance with regulatory formats. (cf. Appendix)

General Reminders: ZIP File and Scanned Signature:

Documents sent electronically will be re-materialized after opening of the envelopes. Applicants are informed that the award of the contract may be signed in writing.

- Each file to be signed must be individually signed, 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 is only valid as a copy and cannot replace an electronic signature.

Backup copy:

Applicants may also submit a backup copy on electronic media (CD-ROM, DVD-ROM, USB stick) or paper in the time allowed for the delivery of the packages. This copy is sent to the address below, in a sealed envelope and must include the following: "backup copy", identification of the procedure concerned and contact details of the company:

Group Procurement Division
5 Rue Roland Barthes
75012 Paris
FRANCE

The documents in the backup must be signed (for documents that require signature). If the physical medium chosen is paper, the signature is handwritten. If the physical medium chosen is electronic, the signature is 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 available the documents from the consultation and the backup copy. Unopened packages containing the backup copy will be destroyed by the contracting authority at the end of the procedure.

8. Additional information

To obtain all additional information related to this consultation, applicants must submit their application in a timely manner:

- Electronically, exclusively on the dematerialization platform, at the following URL:
<https://www.marches-publics.gouv.fr/>

Only requests sent at least 4 days before the deadline for receipt of tenders will be answered by the contracting authority.

A response will be sent no later than 5 days before the date set for receipt of tenders to candidates who have uploaded the consultation file on the dematerialization platform after having previously identified themselves

For information on the submission of tenders in paperless format, please refer to the article *Conditions for sending and submitting applications and/or tenders* in this document.

9. Appeal procedures

This decision may be appealed to the Administrative Court of Paris.

The means and time limits for appeals available to the candidate are:

- Reference referred to 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 may be exercised before the contract is signed.
- Contractual reference referred to in articles L. 551-13 to L. 551-23 and R. 551-7 to R. 551-10 of the CJA, and may be exercised within the time limits provided for in article R. 551-7 of the CJA, after the signature of the contract.
- Full legal recourse in dispute of the validity of the contract, open to third parties within 2 months from the completion of appropriate publicity measures.

ANNEX: DECLARATION ON HONOUR

I, the undersigned

Acting as

Name and address of the company:.....

.....

(a) declare on his honour:

☐ or be the legal representative of the company identified in the legal documents

☐ or hold an authorization authorizing him to engage the company in the context of this consultation (delegation of signature communicated)

b) declares on his or her honour not to be subject to any of the exclusions 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.

N.B. : When an economic operator is placed, during the procedure for awarding a contract, in 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 purchaser of this change in situation without delay.

Evidence documents available online:

Internet address where supporting documents and evidence are directly accessible free of charge, as well as all the information necessary to access them:

- Internet address:

- Information required to access:

.....

c) declare on his honour that I am not, and that none of the members of my group, nor of my suppliers, contractors, consultants and subcontractors are included in the lists of financial sanctions adopted by the United Nations, the European Union and/or France, in particular under the heading of the fight against terrorist financing and against attacks on international peace and security, and I undertake to inform the Agency without delay of any change in the situation

Made to.....

The

Signature

.....

10. Appendix: Imposed Response Framework

The Service Provider's replies must not exceed 25 pages (excluding CV).

These responses must follow the following outline:

A - Summary of your offer

- .A.1 - Understanding DFS expectations
- .A.2 - Summary of your intervention steps
- A.3 - General Mission Schedule

B - Strengths and added value of your offer to complete this mission

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 - Resources implemented
- C.3 - Operational Arrangements and Instances for Mission Steering
- C.4 - Detailed Deliverables Table
- C.5 - Detailed Planning

D - Recommendations from the service provider for the successful completion of the mission

E - Presentation of the team that will be involved in this mission

- .E.1 – Team Formation and Responsibilities
- E.2 – Speakers' CVs (maximum 3 pages per speaker)

11. Appendix: Signing Certificate Requirements

Signature certificate:

The signatory's signature certificate must comply with eIDAS or equivalent and meet the required level of security. The RGS (general safety reference) has been replaced by the eIDAS regulation since 1 October 2018.

However, if you already have an RGS certificate, it will remain valid until the end of its validity period.

- Case 1: Certificate issued by a “recognized” certification authority - No proof to provide

The signature certificate is issued by a Certification Authority listed in the following trusted list:

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

European applicants will also find the complete list of service providers on the trusted list 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 supporting documentation on the certificate of signature used to sign their response.

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

The dematerialization platform accepts all electronic signature certificates with security conditions equivalent to those of the General Security Standard (RGS) and “eIDAS”.

The applicant must ensure that the certificate used complies with the security level defined by the General Security Standard (GSR) or “eIDAS”, and provide supporting documents in its electronic response.

The applicant shall also provide all the technical elements enabling the contracting authority to ensure that the certificate used is technically valid.

The signatory must send the following with their electronic response:

a) any element allowing the verification of the quality and level of security of the signature certificate (proof of qualification of the Certification Authority, certification policy, website address of the reference of the Certification Authority),

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

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

Signature tool used to sign files:

The rules allow bidders to use any signature tool of their choice.

- Case 1: Bidder uses platform signature tool - No supporting documents to provide

The platform incorporates an electronic signature tool, which generates XAdES regulatory format Signature Tokens.

In this case, the bidder has no supporting evidence to provide on the electronic signatures transmitted and signature tool used.

- Case 2: Bidder uses a different signature tool than the one built into the platform - Different supporting documents to be provided

When the candidate uses a signature tool other than the platform's one, he must comply with both of the following obligations:

- a) Produce XAdES, CAdES or PAdES signature formats.
- b) Allow 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 access and use for the buyer, and be accompanied by clear instructions for use where necessary.