



RULES ON REQUESTS FOR PROPOSALS
nb. PAO-B25-00877-ER

Secure climatic chambers for the test of Li-ion

CEA

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ARTICLE 1 - PURPOSE

1.1 - Purpose

These rules on requests for proposals aim to define the conditions of the request for proposals on **secure climatic chambers with a minimum of 300 litres**.

The bidder selected as per the procedure for the services defined in these rules will be awarded a contract established by CEA.

1.2 - Non allotment

The purpose of the contract has to purchase a single piece of equipment, which doesn't allow the identification of separate services in accordance with the article L. 2113-10 of the public procurement code.

ARTICLE 2 - DOCUMENTS APPLICABLE TO THE REQUEST FOR PROPOSALS

2.1 - General provisions

This procedure is governed by the following documents, listed in order of priority:

- Safety requirements and their appendices (corresponding reference documents);
- specific provisions defined in these rules on requests for proposals,
- the technical requirements and related appendices (specifications with the reference DEHT/CDC/2025/03 dated of 1st April 2025, diagrams, etc.),
- the draft contract with the reference PAO-B25-00820-ER
- rules applicable to External Companies (Contractors or sub-contractors), issue A and the rules of procedure;
- CEA's General Purchasing Conditions (CGA) (January 2022 edition);
- Standards (standards, unified technical documents, etc.);

The bidder expressly acknowledges that it has read and approved these documents. Bidder's general sales conditions, excluding those taken from essential legal provisions, will not apply to CEA in any form.

CEA's General Purchasing Conditions (january 2022 edition) can be addressed to the bidders on simple request.

The following appendices form an integral part of these rules on requests for proposals:

- Appendix 1: Electronic procedures
- Appendix 2: Rules applicable to External Companies (Contractors or sub-contractors)

ARTICLE 3 - CONDITIONS FOR REQUESTS FOR PROPOSALS

3.1 - Procedure

3.1.1 - General

The selected procedure is an **adapted request formal open request** for proposals.

Participation of applicants in this request for proposals is considered as full acceptance of this procedure.

If you are unable to submit a proposal, please indicate this point to us rapidly.

Your company shall not be entitled to any compensation for the studies and miscellaneous costs incurred in preparing the proposal.

CEA may not be held liable for the following, however it reserves the right to:

- declare the request for proposals unsuccessful if no proposal is received or if all proposals are incomplete, unacceptable or inappropriate, as defined in articles L. L2152-2 à L2152-4 in Public Procurement Code.
- not conclude a contract after the request for proposals,
- not follow up with the project after analysing the proposals, whose confidentiality shall be protected under all circumstances.

CEA reserves the right to modify the details of the request for proposals no later than **three (3) days** prior to the deadline for the submission of proposals.

On this basis, the bidders must respond with reference to the modified request for proposals, and may not submit any claim in this respect.

If the deadline for the submission of proposals is deferred during the period of assessment of the RFP by bidders, the previous provision would apply, with reference to the new deadline.

The CEA contract performance conditions and the various applicable provisions are subject to a draft contract enclosed with the request for proposals. The financial provisions of this draft must be specified, however the selected company will be asked to sign this draft, subject to minor contractual modifications.

3.1.2 - Temporary partnerships

Temporary partnerships can be joint and several, or joint only.

If the partnership is joint, the representative must be joint and several with the co-contractors.

Applications may not be combined:

- as an individual applicant and as a member of one or several partnerships:
- as a member of several partnerships.

3.1.3 - Variants

Tenderers are required to imperatively submit an offer that complies with the Business Consultation File. The CEA authorizes the presentation of financial and technical variants.

In this case, tenderers must provide all the necessary justifications on the feasibility of each variant proposed and its credibility in relation to the basic offer.

- The CEA authorizes the presentation of (1) **financial variant**.

the financial variant is only concerned the billing schedule in the corresponding article of the draft contract. The bidder will propose the acceptable billing terms like delivery of all pieces of the equipment or a document deliverable and not advance type "at the order; % at partial receipt; ..."

- The CEA authorizes the presentation of (1) **environmental variant**.

it can be a reconditioned equipment with the same time warranty and with the same technical specifications.

It can only be a solution whose results must at least be equivalent or superior of what is describe in the Specifications. The bidders must provide all justifications on the feasibility of each variant and its credibility about the base offer.

Non-exhaustive list of what can be shared:

- Environmental impacts indicators used for the choice of repackaging equipment (resource depletion, particle emissions, waste production, water demand,..)
- The impact environmental data more virtuous of the repack process: the collection and the supply of reconditioning pieces, the production of change pieces and the elimination of used pieces.
- If necessary, every document or additional information to ensure the understanding of the proposal.

- The CEA authorises the presentation of (1) **technical variant**.

The technical variant is only concerned to the total volume of the climatic chambers. The total volume of the climatic chambers must be at least 300 litres. The volume of one climatic chamber will not exceed 200 litres and at least 100 litres. The whole must comply with the Specifications.

Submission procedures:

Each variant shall be costed and covered by a separate proposal, submitted in a separate envelope bearing the indication "variant 1."; "variant 2", "variant 3"

Variants shall be judged in accordance with the criteria defined in the rules on requests for proposals for the basic proposal.

3.2 - Questions from bidders

Any questions from bidders must be submitted in writing via the CEA's e-procurement platform (PLACE) no later than **six (6) days** before the deadline for submission of tenders.

The CEA's dematerialised procurement platform is accessible at the following URL : <https://www.marches-publics.gouv.fr>

The provisions to be followed are indicated in Annex 1 of the present consultation regulations.

A written response from the CEA will be provided to all tenderers.

3.3 - Pricing conditions

The prices proposed shall be established according to the economic conditions existing for the month in which the proposal is submitted, and as per the provisions of the draft contract enclosed with this request for proposals.

The prices cover all of the requirements defined in the documents mentioned in article 2 of these rules on requests for proposals.

3.4 - Sub-contracting

Bidders are informed that no operations entrusted to a sub-contractor, by themselves, with the explicit, prior written approval of CEA, may be sub-contracted by the sub-contractor, unless CEA grants an exceptional concession.

If the bidder is considering sub-contracting the whole or part of the services, the former must specify the identity and address of the sub-contractor(s) and the types of sub-contracted work or services when submitting the proposal. Sub-contractors may also be declared during the performance of the contract. Use of sub-contractors shall be governed by Act 75-1334 of 31 December 1975, amended by Act no. 2001-1168 of 11 December 2001 enforcing urgent economic and financial reforms ("MURCEF" act). CEA reserves the right to request sub-contracting agreements or (and) to reject proposed sub-contractors.

The bidder shall also submit subcontractors to CEA's approval. For this purpose, the bidder shall also submit the sub-contractor acceptance form appended to the draft contract.

3.5 - Non-disclosure

Confidentiality requirements are governed by article 11 of CEA's General Purchasing Conditions.

The companies contacted must not use or transmit information from this request for proposals to third parties for any purpose other than responding to this request for proposals.

The bidder must never disclose or publish the results of the studies contributed to by its employees, and any type of information obtained in the context of this request for proposals and particularly information on sites with an environmental classification (ICPE), in France or abroad, without the prior written authorisation of CEA.

The bidder must specify which information contained in the proposal is confidential. The bidder must specify the allowed usage of the confidential information, the duration of the non-disclosure requirement, the parties bound by secrecy and the parties which are not authorised to receive this information.

3.6 - Validity of proposals

Proposals shall remain valid for a period of **four (4) months** from the submission deadline.

3.7 - Using CEA's electronic platform

The procedure for the use of the electronic platform is included in appendix 1 of these rules on requests for proposals.

ARTICLE 4 - SUBMITTING THE APPLICATION AND THE PROPOSAL

4.1 - "Application" file:

The application must comprise the items mentioned in the Notice of the Government Request for Proposals published in the Official Journal of the European Union and specified as follows:

- the DC1 form (Application letter and authorisation of the representative issued by the co-contractors) or an application letter signed by a party authorised to commit the applicant or authorising the representative of a group to represent the group, with a sworn statement including all information requested on page 3 of this form.
- the DC2 form (Declaration of the individual applicant or a member of the partnership).
These forms can be obtained from the following website:
<http://www.economie.gouv.fr/daj/formulaires-marches-publics>
- if the applicant is part of a partnership, a certificate indicating its commercial independence and competitive situation in relation to the other companies in the partnership.

Economic and financial capacity:

- A declaration on the total turnover of the applicant and, if necessary, turnover in the business segment covered by the government contract, covering the last three available periods, or less, depending on the date of incorporation of the company or the start of activity of the economic operator, if turnover information is available for these periods;
- Appropriate declarations by banks or, if applicable proof of insurance for relevant professional risks;

If, for any proven reason, the economic operator is unable to produce the required information and documents, the former may prove its economic and financial capacity by any other means.

Technical and professional capacity:

- A list of the main deliveries completed or the main services provided over the last three years, including the amount, date and public or private recipient. Deliveries and services are proven by certificates issued by the recipient, or, failing this, with a declaration by the economic operator;
- Certificates issued by institutes or official services responsible for checking quality and authorised to certify the conformity of supplies with reference to specific technical specifications. However, other proof of equivalent guarantees for quality produced by the applicants shall be accepted, if the applicants are unable to access these certificates or cannot obtain these certificates within the stipulated timeframes;

Sub-contracting:

If the applicant uses the services of sub-contractors, the former must produce the same documents for said sub-contractor. Furthermore, in order to justify that the applicant can use the resources of each sub-contractor for the performance of the contract, the applicant must produce a written commitment by each sub-contractor.

Documents to be produced at a future stage (when allocating the contract):

- certificates issued by the competent authorities and bodies, proving that the applicant has satisfied its tax and social obligations or equivalent documents for foreign applicants.

4.2 - "Proposal" file:

The proposal must include the following:

4.2.1 - Administrative proposal:

- Valid civil, professional liability insurance certificates,
- The draft contract and the specifications for contractual documents, duly signed and initialed to certify the bidder's acceptance of their terms.
- The bidder must specify the amount and type of services considered for sub-contracting, for each planned sub-contractor, in the proposal.

Documents to be produced at a future stage (when allocating the contract):

- Certificates issued by the competent authorities and bodies, proving that the applicant has satisfied its tax and social obligations or equivalent documents for foreign applicants.

4.2.2 - Technical proposal:

The technical proposal must include at least the following points:

- All of the characteristics of the proposed equipment, in accordance with the requirements of the specifications.
- The details of the safety management disposition of the climatic chamber (**Cf § 7.2 du CdC**)
- The lead time / production time and/or delivery date for the equipment.
- The commissioning period from the delivery date to CEA Grenoble site.
- A description of the proposed training sessions (content, duration of the various modules, etc.).
- The guarantees proposed, in accordance with the above administrative provisions.
- All of the characteristics of the proposed options, in accordance with the requirements of the specifications,
- A technical proposal with details of maintenance contracts (Preventive, Corrective and Full service), which can be proposed following the warranty period for the equipment.

4.2.3 - Commercial proposal:

A commercial proposal with set firm prices, itemising:

- The price of the equipment broken down as follows:
 - o details of the price of the equipment - FCA (ICC 2020 Incoterms),
 - o as an option - the cost of transport, including insurance, as per the DAP conditions to CEA Grenoble (ICC 2020 Incoterm)

The bidder must indicate the weight and approximate volume of the equipment and if the former require specific transport precautions (air cushion).

If the equipment is obtained from a country outside of the European Union, the bidder must indicate the HS code (customs) for the equipment.

The cost of the maintenance contracts proposed following the warranty period, for information only,

The bidder must itemise and compare the different annual contracts, including various types of maintenance (Preventive, Corrective and Full service).

- The costs of options:
 - o Option n°1: the cost of transport, including insurance, as per the DAP conditions to CEA Grenoble (ICC 2020 Incoterm)
 - o Option n°2: Electrically insulated and fireproof shelves inside the chambers
 - o Option n°3: The internal surface of the test volume of the climatic chamber

ARTICLE 5 - SUBMITTING PROPOSALS

5.1 - Deadline for submitting proposals

The proposals of bidders must be submitted no later than **13th may 2025, 4 p.m.** (strict deadline).

All applications received after this date shall be automatically dismissed and returned to the bidder.

5.2 - Format for submitting proposals

5.2.1 - Electronic format

Bidders may submit their proposals via the electronic platform for CEA contracting procedures, which can be accessed via the following URL: <https://www.marches-publics.gouv.fr>

The applicable provisions are included in appendix 1 of these rules on requests for proposals.

Bidders should respect the formalism for the presentation of proposals and application files indicated in paragraphs 3.1 and 3.2 of this Annex 1.

If a proposal is submitted via CEA's electronic platform for requests for proposals, it is specified that the proposal (in .ZIP format) must not exceed 200 Mb after ZIP compressing.

Back-up copy

If the applicant opts for electronic submission, a back-up copy of the documents submitted electronically can also be sent, in parallel, either as a hard copy or on a physical electronic support medium.

The back-up copy must be submitted in a sealed envelope with the following clear indication: "Back-up copy".

This copy must be sent before the deadline for the submission of applications and proposals to the following address :

CEA de Grenoble
Purchasing and Contractual Department
17, avenue des Martyrs
38054 GRENOBLE Cedex 09 (FRANCE)
To the attention of Emlyne RAVARY – Bâtiment C4

The back-up copy shall be opened:

- if malware is detected in the applications or proposals submitted electronically.
- if the applications and proposals submitted electronically are not received in time or could not be opened by CEA (providing that the back-up copy is received before the submission deadline).

ARTICLE 6 - ASSESSING PROPOSALS

6.1 - Verification of applications

The CEA will verify that the candidates meet the conditions for participation indicated in the Notice of call for competition subject of this procedure, referenced PAO-B25-000647-ER.

6.2 - Offer selection criteria

The bidder's proposal shall be analysed in accordance with the following weighted selection criteria:

- Price of the equipment: **50%**
- Quality and efficiency of security of climatic chambers: **15%**
- Stability of temperature regulation: **15%**
- Total cumulative volume of climatic chambers (minimum of 300 litres): **10%**

- Facility of piloting and controlling the climatic chamber by software et by another equipment (like cycling battery): **10%**

To this end, the bidder shall clearly specify and/or describe in detail points in relation to these criteria in the proposal.

Note: It is hereby specified that no financial negotiations shall take place after the submission of proposals for this request for proposals.

CEA reserves the right to contact the bidders in order to obtain complementary explanations for their proposal.

ARTICLE 7 - DOCUMENTS ON COMPLIANCE WITH TAX AND SOCIAL REGULATIONS, TO BE PROVIDED BY THE CONTRACTOR

The company selected by CEA may only be awarded the Contract after providing the following prior to signing the contract and within the period indicated by CEA:

- the documents listed in articles D.8222-5 (co-contractor based in France) or D.8222-7 and D.8222-8 (co-contractor based abroad) of the French Labour code, which must be produced every six months until the completion of the performance of the contract;
- certificates issued by the competent authorities and bodies, proving that it has satisfied its tax and social obligations (Order of 22 March 2019 establishing the list of taxes, contributions or social contributions giving rise to the issue of certificates for the award of public contracts).

Should the selected company fail to produce these documents within the stipulated timeframe, the proposal shall be rejected without any other formality.

ARTICLE 8 - COMPLEMENTARY INFORMATION

For any complementary information or details, please contact the following in writing:

8.1 - Technical contacts

Marco RANIERI – Service LITEN/DEHT

Tél : 04.38.78.51.88

E-mail : marco.ranieri@cea.fr

8.2 - Sales contacts

Anne MANGIN - Service des Marchés et Achats

Tél. : 04.38.78.05.25

E-mail : anne.mangin@cea.fr

Emlyne RAVARY - Service des Marchés et Achats

Tél. : 06.58.31.34.70

Email : emlyne.ravary@cea.fr

ARTICLE 9 - MONITORING SUPPLIERS

CEA uses an assessment tool for contract performance in order to monitor its suppliers. In this context, CEA can be required to carry out audits and/or request corrective action plans from its suppliers.

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