



PUBLIC MARKET FOR INTELLECTUAL SERVICES

French Development Agency

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75012 PARIS

**Subject: Environmental and Social Impact Assessment (ESIA) and
Resettlement Action Plan (RAP) for the redevelopment of the transportation system around
the Unbroken Facility in Lviv**

Deadline for submission of tenders

Date: 26/05/2025

Time: 12:00 (Paris time)

Rules for consultation

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1. Subject matter of the contract

The purpose of the consultation is: Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP) for the redevelopment of the transportation system around the Unbroken Facility in Lviv

Place of performance: Ukraine and remote.

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 terms of renewal and the deadlines for completion are set out in the Contract.

1.3 Contracts for similar services

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

2. Organization of the consultation

2.1 Procurement procedure

This consultation is launched following the open tender procedure pursuant to articles R. 2124-1, R. 2124-2 1° and R. 2161-2 to R. 2161-5 of the Public Procurement Code.

2.2 Justification in case of non-allotment

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

2.3 Provisions relating to 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 Variations imposed

There is no plan for PSE.

2.6 Change to CED

AFD reserves the right to make any detailed changes to the CED no later than **6 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 claim 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 offers

The period of validity of tenders is 180 days from the closing date for submission of tenders.

3. Contents of the consultation file

The consultation file includes the following:

- The present rules of consultation.
- The Single Contract (CU) and its possible annexes
- The terms of reference (TDR) and any annexes thereto
- The breakdown of the global and flat-rate price.

4. Withdrawal of the consultation file

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

The Business Consultation Dossier (ECD) can be consulted and downloaded free of charge at: <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 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 version 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 it informed of any changes occurring 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 necessary for the selection of candidates:

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

- 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 ability by any other document considered equivalent by the contracting authority if he is objectively unable to produce any of the requested information relating to his financial capacity.

If, in order to justify his or her abilities, the candidate wishes to rely on the professional, technical and financial capabilities of another party (including subcontractors), he or she must produce the documents relating to that party referred to in this article above. He must also justify that he will have the capacity of this intervener for the execution of the contract by a written commitment from the intervenor.

Pursuant to article R. 2143-16 of the Public Procurement Code, candidates are required to submit a translation in French to their applications together with elements written 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, where appropriate, that all the information necessary for its consultation is included in the application file;
- A digital storage space, provided that all the information necessary for its consultation is included in the application file and that access to them is free of charge.

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 laid down by the European Commission 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 limit themselves to indicating in the single European contract document that they have the required aptitude and capabilities 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:

- A Single Contract (CU), **in French only**, (attached to be completed, dated and signed 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 flat-rate global price.
- A methodological note or a technical brief drawn up on the basis of the outline presented in the Annex “Imposed response framework” to this Consultation Regulation.

Only documents held by the contracting authority are authentic.

Candidates are reminded that the signature of the Contract 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 prior to 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 the admissibility of applications are:

- Technical and financial guarantees and capacities
- Occupational skills

Under the following conditions:

The service provider must have at least two permanent employees
The service provider must present at least 3 references of services in a similar security risk zone, namely an area [orange/red] according to the classification of the MAEE.

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 of services	30/100
Definition and Assessment of Criteria: The highest score (NM) will be awarded to the applicant who submitted the lowest bid. The other candidates will be assigned a score calculated on the basis of the following formula: $N = NM \times (OMD/OAN)$ where N is the candidate's score, OMD the lowest bid amount, OAN the bid amount to be scored.	
Quality of methodology and timing	30/100
Definition and assessment of the criterion: Quality and appropriateness of the proposed methodology for the implementation of services and the proposed schedule for the implementation of services.	
Quality of profiles	35/100
Definition and assessment of the criterion: Quality of profiles dedicated to the performance of services.	
Sustainable development criterion	5/100
Definition and assessment of the criterion: Proposed measures to reduce the ecological footprint of services (reduction/intelligent organization of the number of flights, user guides, good practices, etc.)	

Rectification of tenders:

In the event of a discrepancy noted in the offer, the indications given on the statement of the flat-rate prices and/or the list of unit prices shall prevail over any other indication of the offer and the amount of the estimated detail shall be corrected accordingly.

In the case of a flat-rate price, if errors of multiplication, addition or deferral are found in the breakdown of the flat-rate global price, in a competitor's offer, the amount of this price will not be

corrected for the judgment of the consultation.

However, if the service provider concerned is about to be retained, he will be asked to correct this breakdown in order to bring it into line with the flat-rate price.

Technical note for elimination:

Any bid with a score on the technical criterion “quality of methodology and timing below 15/30 will be automatically rejected.

Hearing:

The contracting authority reserves the right to hold hearings. In this case, he will invite all candidates who have submitted a bid for an oral presentation of their bid.

This is not a negotiation that cannot change the offer.

If the contracting authority decides to organise hearings, these will be held shortly after the deadline for receipt of tenders.

The contracting authority will reject inappropriate, unacceptable or irregular tenders.

Will be declared as irregular, an offer, which, while providing a response to the need of the contracting authority, is incomplete or does not meet the requirements formulated in the consultation documents. This will be the case, in particular, if it is found that the price list is not provided or if it is incomplete.

6.4 Contract award

Prior to the signature of the contract by the contracting authority, and in accordance with article R2144-7 of the Public Procurement Code, the successful bidder (or all members of the successful bidder group, including any subcontractors) must send the following documents requested to the Contracting Authority's tool for collecting supplier attestations (Provigis tool):

- 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 or her social obligations (URSSAF, RSI, AGESEA, MDA...);
- The list of names of foreign workers outside the EC or posted, employed by the structure, or failing this, an affidavit 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 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 qualified professional body in the country.

Failure to produce these documents within the deadline will result in rejection of the successful bidder's bid and elimination of the bidder.

The next bidder will then be asked to produce the necessary certificates and attestations before the contract is awarded.

7. Conditions for sending and submitting applications and tenders

Electronic transmission of documents can only be made to 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**.

In case of difficulties, please contact the PLACE platform support (<https://www.marches-publics.gouv.fr/>)

Prepare in advance:

Digital Certificate Requirement - Setup Workstation 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 their 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 on time. A workstation configuration test 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 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,
- to the signature tool used (software, online service, if applicable), which must produce

electronic signatures in accordance with the regulatory formats. (see Appendix)

General reminders: ZIP file and scanned signature:

Documents sent electronically will be re-materialized after the opening of tenders. Applicants are informed that the award of the contract may require a handwritten signature on paper.

- 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 has no value other than that of 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 on paper within the time limit for the delivery of tenders. This copy is sent to the address below, in a sealed envelope and must include the following information: "backup copy", identification of the procedure concerned and contact details of the company:

Group Purchasing Department (DAG)
Procedure no.: VIL-2025-0147
5 Rue Roland Barthes
75012 Paris
FRANCE

Backup documents must be signed (for signature required). 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 back-up copy will be destroyed by the contracting authority at the end of the procedure.

8. Additional information

In order to obtain all the additional information related to this consultation, candidates will have to send their request 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 6 days before the deadline for receipt of tenders will be answered by the contracting authority.

A response will be sent no later than 6 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 digital tenders, please refer to the *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:

- Pre-contractual 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 signing of the contract.
- 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.
- Recourse of full jurisdiction in contestation 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

Company name and address:

.....

.....

(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) declare 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. : Where an economic operator is, during the procedure for awarding a contract, placed 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 the supporting documents and means of proof 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 my honour that I am not, and that none of the members of my group, nor 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 with regard to the fight against the financing of terrorism 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 20 pages (excluding CV)

These responses must comply with the following outline:

A - Summary of your offer

.A.1 - Understanding the expectations of DFS

.A.2 - Summary of your intervention steps

A.3 - General Mission Schedule

B - Strengths and added value of your offer to accomplish 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 Management

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 intervene on this mission

.E.1 – Team Formation and Responsibilities

E.2 – Speakers' CVs (maximum 3 pages per speaker)

11. Appendix: Signing Certificate Requirements

Certificate of signature:

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

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

- Case 1: Certificate issued by a "recognized" Certification Authority - No evidence 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 full 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 he or she is using at least complies with the security level defined by the General Security Standard (RGS) or "eIDAS", and provide the supporting documents in his or her electronic response.

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

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

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 (complete certification chain to root Certification Authority, download address of the latest update of the certificate revocation list).

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

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 evidence to provide on the electronic signatures transmitted and the signature tool used.

- Case 2: The 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 that of the platform, he must comply with both of the following 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.

ATTENTION: Candidates should be aware that the use of an electronic signature must not conflict with the article “Conditions for sending and submitting applications and tenders”, paragraphs “Accepted file formats”. As such, it is recommended to use a “detached” signature when the signature tool allows; in order to deliver a document in an accepted format.

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