

CONSULTATION RULES (RC)

OBJECT OF THE DRAFT CONTRACT:

Provision of rental vehicles with drivers for Expertise France projects in Liberia.

LEGAL REPRESENTATIVE OF CONTRACTING AUTHORITY:

Jérémie PELLET, General Manager of EXPERTISE FRANCE

DEADLINE FOR SUBMISSION OF TENDERS:

25/06/2025 to 11:59 PM (Paris time)

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ARTICLE 1 : PURPOSE AND SCOPE OF THE CONSULTATION

Subject of the consultation

The consultation concerns the conclusion of a service contract for the purpose of "renting vehicles with drivers for Expertise France projects in Liberia".

The scope of needs to be covered is described in the Specifications.

Extent of consultation

This contract is subject to the Public Procurement Code (CPC) in its version in force resulting from Order n° 2018-1074 of 26 November 2018 on the legislative part and Decree n° 2018-1075 of 3 December 2018 on the regulatory part of the Public Procurement Code.

It has been either:

adapted procedure opened pursuant to Articles L. 2123-1 and R. 2123-1 to R. 2123-7 of the CCP

Provisional consultation schedule

Estimated date	Step
15/06/2025	Deadline for receipt of tenders
on 19/06/2025	Audition / Negotiation of offers and requests for optimized offers
22/06/2025	Deadline for receipt of optimized offers
27/06/2025	Sending rejection letters to unsuccessful candidates
02/07/2025	Contract start date

Language of consultation – currency unit

All documents for this consultation must be in English.

The Contracting Authority will conclude contracts in the following currency unit: USD (\$).

Composition of the consultation file

The consultation file consists of the following documents:

- These Rules of Consultation (R.C.);
- The draft contract (specific conditions and general conditions) and any annexes thereto;
- The specifications and any annexes thereto;
- The application form, including a declaration on the exclusion criteria and absence of conflict of interest and the third party identity card;
- The candidate's GDPR compliance verification form;
- DAJ_GU006_v01 - PLACE User Guide for Businesses.

Additional documents to the consultation file:

- The unit price listing framework;
- Annex 1 - Summary status of the vehicle fleet;
- Annex 2 – Summary status of drivers;

Modification of the consultation file

Changes can be made to the consultation documents no later than 4 days before the deadline for receipt of packages

The amendments are communicated only to the economic operators duly identified when the documents are withdrawn from consultation.

Candidates/bidders will be asked to respond on the basis of the most recently amended file. In the event that a candidate/bidder has submitted an application and/or bid prior to the amendments, they may submit a new one based on the last modified file, before the deadline for receipt of tenders.

ARTICLE 2 : GENERAL CHARACTERISTICS OF THE DRAFT CONTRACT

Form of contract

The contract is a framework agreement with one operator (single contractor).

Estimated amount of requirement

The amount of the framework agreement is fixed at a maximum of 195,000 USD HT (175 503 euros HT) over 4 years.

Duration of contract

The estimated duration of the contract is 12 months from the date of notification. It may be renewed 3 times by tacit decision of the contracting authority, but may not exceed a total duration of 48 months. For information purposes, the contract start date is 02/07/2025.

Allotment

This consultation is not allocated.

Renewals

The contract is concluded for an initial period of 12 months from its notification. It may be renewed three times by tacit decision of the contracting authority for an equivalent period, but the total duration of the contract may not exceed 48 months.

Optional tranches

The contract does not include any optional tranches.

No variations are allowed.

ARTICLE 3 : CONDITIONS FOR PARTICIPATION OF CANDIDATES

Conditions for submission of applications

The same person may not represent more than one candidate for the same contract (article R. 2142-4 of the public procurement code). However, in the context of consultation, the contracting authority authorises the candidate to submit several tenders by acting both:

- as an individual candidate
- or a member of one or more groups of economic operators;

In the case of an application from a group of economic operators, each member of the group must provide all

documents and information attesting to his legal, professional, technical and financial capacity. The assessment of the group's capabilities is global.

Grounds and conditions for exclusion

In application of, inter alia:

- of the Loi n°2016-1691 of 9 December 2016 on transparency, the fight against corruption and the modernisation of economic life, known as the "Sapin II" law,
- of Chapter II of the French Monetary and Financial Code on "provisions relating to the freezing of assets and the prohibition of making available" (in particular articles L562-4 and 5),
- the relevant requirements arising from accreditation for the management of EU delegated funds (pillar 7 on exclusion from access to funding),

Candidates or their representatives who are in one of the cases listed in articles L.2141-1 to L.2141-10 of the public procurement code, or who appear on an official exclusion list are excluded from the procedure, their status is revealed through their own declarations or through the implementation of due diligence measures by the Contracting Authority.

However, where the decision to exclude is left to the discretion of the contracting authority, the contracting authority shall invite the candidate(s) who may be excluded to submit their observations in order to establish within a reasonable time not exceeding 10 days, by any means, that the necessary measures have been taken to correct the shortcomings which gave rise to the exclusion and, where appropriate, that his(her) participation in the consultation is not likely to affect equal treatment.

If an economic operator is excluded during the procedure, he shall inform the contracting authority without delay, which shall exclude him for that reason.

Minimum required levels of economic, technical and vocational skills

The Contracting Authority does not require minimum levels of capacity from applicants.

TECHNICAL AND VOCATIONAL ABILITY

Number of people in the company

- A staff of at least 4 drivers who have held a Class B driver's licence for at least 3 years, with at least 2 years experience in the execution of similar contracts;
- A fleet of vehicles comprising at least: 2 light (city) vehicles such as Toyota Corolla, Hyundai Sedan or equivalent and 2 4x4 vehicles such as Toyota Land Cruiser, Prado or equivalent;
- Demonstrate at least five (5) similar contracts completed or in progress within the last three (3) years (a similar contract refers to car rental services with driver from Monrovia to at least three of these regions).
- Minimum of two (02) certificates of reference/good performance signed by the bidder's clients and relating to similar services presented in the specifications;

Each co-processor member of the group must provide all documents required under this consultation regulation. In order to justify its professional, technical and financial abilities, the applicant may request that account be taken of the professional, technical and financial capabilities of one or more economic operators. In this case, he must justify the capacities of this or these other economic operators and the fact that he has them for the execution of the contract.

In the case of a temporary group of companies, the assessment of these conditions of participation is global; the application file must include an authorization of the agent by its co-contractors, which may take the form of the DC1 form in force.

Details of economic operator groups (consortium)

Grounds for exclusion in the case of a group of economic operators

When the reason for exclusion from the award procedure concerns one of the members of the group, the Contracting Authority shall require that a person who is not subject to a reason for exclusion be replaced by the Contracting Authority within 10 days of receipt of such request by the Group's representative. Failing this, the grouping is excluded from the proceedings;

Form of grouping

The form of the grouping is solidary or joint. The agent is jointly and severally liable for the performance of the contract of each member of the group for its contractual obligations towards Expertise France.

Details of subcontracting

Grounds for exclusion in case of subcontracting

Persons against whom there is a reason for exclusion cannot be accepted as subcontractors.

When the subcontractor against whom a ground for exclusion is presented at the application stage, the contracting authority requires his replacement by a person who is not subject to a ground for exclusion, within 10 days of receipt of the application by the applicant. Failing this, the candidate is excluded from the procedure.

Presentation of a subcontractor

The subcontractor is presented using the form DC 4 (Declaration of subcontracting) duly completed by the subcontractor and the candidate, indicating the professional, technical and financial capabilities of the subcontractor processing as well as the sworn declaration that the subcontractor is not subject to a ban on public procurement.¹

ARTICLE 4 : PRESENTATION OF DOCUMENTS AND ARRANGEMENTS FOR DEPOSIT

The bidders submit a complete file containing the documents listed below. The documents requested must be signed by the bidder, the representative of the current group of companies or each member of this group.

Application documents

Candidates submit the following application elements:

- Proof of the applicant's registration in the Company Register (K-bis or equivalent);
- The application form, including a declaration on the exclusion criteria and absence of conflict of interest and the third party identity card;
- A bank account number;
- Statements of turnover for the last three accounting years available;
- Where applicable, judgment(s) pronouncing the judicial reorganization (in case of judicial reorganization);
- A valid certificate of civil and/or professional liability insurance;

¹ Form DC4 is available at: <https://www.economie.gouv.fr/daj/formulaires-mise-a-jour-formulaire-declaration-sous-traitance-dans-marches-publics>

- A description of the human resources meeting the conditions for participation described below
 - Statement indicating the company's current workforce and the importance of management staff;
 - The list and curriculum vitae of designated drivers (Appendix 2) - As a reminder, designated drivers must have held a category B driver's licence for at least 3 years and have at least two years experience in performing similar contracts (Provide details of qualifications and experience);
 - A brief from the bidder, including a description of the company's business and a list of similar services/contracts performed or in progress for the subject matter of this contract over the past three years (minimum 5 - similar contract means chauffeur-driven rental services from Monrovia to at least three regions specified in the specifications)
 - Minimum of two (02) certificates of reference/good performance signed by the bidder's clients and relating to similar services presented in the specifications;

- A description of the technical means (or technical offer) meeting the conditions for participation described below:
 - Fleet summary status (number, type, make, vehicle model, capacity, age, current mileage, fuel type, with/without air conditioning, equipment, etc.) – Appendix 1.
 - Copy of the grey cards for all vehicles that may meet the specifications, in the table in Annex 1;
 - Photos of the inside and outside of all vehicles on the table in Annex 1;
 - Vehicle maintenance policy;
 - The assistance arrangements and measures to guarantee repairs in the event of a breakdown, disaster or accident;
 - The notice period (time between ordering and vehicle availability);
 - An explanatory note on the contract management terms (SAV).

- A breakdown of the financial offer presented in the form of a list of unit prices indicating the price in HT and TTC / type of vehicle and destination;

Components of the offer

Applicants must submit a complete file containing the following documents:

- The draft contract duly filled in, dated and signed and annexed: Lists of unit prices

- A technical brief containing the following information:

Description of the service proposed according to the criteria defined below:

- Methodology of organization and execution management
- Availability and professional experience of drivers
- Quality of the vehicle fleet
- Proposed solution if Absence of drivers, change, emergencies...

Period of validity of the offers

The validity of tenders submitted by tenderers shall be maintained for at least 160 days from the deadline for submission of tenders.

Arrangements for the delivery of packages

Delivery of paper-based envelopes

Paper-based packages are rejected.

Electronic delivery

To access the market consultation space or to deposit their tender, bidders must connect to the State Procurement Platform at the following address:

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

. Any remission by other means shall be rejected.

The procedure for submitting tenders is detailed on www.marches-publics.gouv.fr

Bidders will find a downloadable “user guide” which specifies the conditions of use of the state procurement platform, including technical prerequisites and electronic certificates.

If they wish, applicants can contact 09 72 37 01 30 every working day from 9.00 to 19.00 to receive technical assistance from PLACE in the completion of these operations.

In case of allotment, each lot must be submitted electronically. However, it is possible to make a single electronic filing for several lots provided that the identification of the lots to which it is answered is possible and unambiguous.

The costs of access to the network and use of electronic signatures shall be borne by each candidate.

Bidders are invited to test their workstation configuration and respond to a test consultation, in order to ensure that the IT environment is functioning properly.

Bidders are reminded that they will need at least an Internet browser. The provision of an electronic signature tool is not mandatory.

In order to make up its bid, the bidder must submit files in the following computer formats: PDF, RTF, ZIP, Microsoft Office suite, LibreOffice or Open Office. Any computer file established in a different computer format will be declared null and void.

BE CAREFUL!

Any file constituting the offer must be free of any computer virus and must be previously processed, for this purpose, by the bidder by an anti-virus regularly updated. The same applies to any other file exchanged under this public procurement procedure.

The contracting authority may archive any file containing a computer virus for security purposes. It will then be deemed never to have been received.

NB: Bidders are advised to note the time required for large electronic mailings. The average download time may vary depending on various parameters such as the technical capacity of the hardware, the type of connection to the internet, the network traffic...

To the extent that the date and time of the end of routing is authoritative when a dematerialized response is submitted, bidders are encouraged to incorporate some flexibility into their dematerialized response process.

Even if his bid in this public procurement procedure has been electronically transmitted, the bidder commits, particularly in the case of a successful bid, to accept the compliant re-materialization in paper form of all constitutive documents with contractual value. As such, it also undertakes that the natural person who signed them electronically shall proceed with their handwritten signature without making any changes to them and return them to the contracting authorities in this form. Finally, he undertakes to accept the notification in paper form, using the usual procedures.

ARTICLE 5 : ANALYSIS OF APPLICATIONS

The selection of applications is carried out by the Expertise France Evaluation Committee and follows the following procedures.

In accordance with the provisions of article R.2161-4 of the public procurement code, the Evaluation Committee may decide to examine the tenders before the applications.

In this case, supporting documents regarding the suitability and ability as well as evidence relating to the grounds for exclusion are requested by the Contracting Authority only from the intended bidder(s).]

Request for additional applications

If the Contracting Authority, before proceeding with the examination of applications, finds that documents or information requested for production are missing or incomplete, It may ask the candidates concerned to complete their application within an identical time limit for all. This time limit is specified with the request for a supplement.

Applications that are incomplete or remain incomplete as a result of a request for additions are eliminated.

Rejection of applications after deadline - opening of tenders

The Opening Committee (private meeting) lists the number of packages received, the identity of the candidates and the composition of the packages submitted.

Late deliveries are immediately discarded.

Eligibility of applications

In accordance with Article 3 of this document on the conditions for participation, the Committee of Evaluation of Expertise France conducts an analysis of the admissibility of applications based on the following eligibility criteria:

- Registration of the applicant in the commercial register
- Satisfaction with the applicant's social obligations
- Satisfaction with the tax obligations of the candidate
- The candidate must not be in a situation mentioned in sections L. 2141-1 to L 2141-6 and L. 2141-7 to L. 2141-11 of the Public Procurement Code and do not appear on an official exclusion list whether their situation is revealed by their own declarations or by the implementation of vigilance measures by the contracting authority
- The candidate or his representative must not be in a situation of conflict of interest vis-à-vis the contracting authority and/or the beneficiaries of the purchase contract
- The candidate must demonstrate sufficient implementation of appropriate technical and organizational measures, so that the processing of personal data carried out by him complies with regulatory and legal obligations in relation to data protection (GDPR and Data Protection Act) and guarantees the protection of the rights of the data subject in this regard
- Applications which do not demonstrate professional competence and/or which clearly do not have the sufficient professional, technical or financial capacity required for this consultation are eliminated-

ARTICLE 6 : EVALUATION OF OFFERS, NEGOTIATION AND AWARD

The tender selection procedure is carried out by the Expertise France Evaluation Committee and follows the following procedures:

Rejection of offers out of time - Opening of tenders

The Opening Committee (non-public session) identifies the packages received and the identity of the bidders and the composition of the packages submitted.

Late deliveries are immediately discarded.

Analysis of offers

After verifying that the tenders received are regular, acceptable and appropriate, the Expert France Evaluation Committee analyses the bids of the successful bidders in accordance with the criteria defined below.

Rejection of irregular, unacceptable and inappropriate offers

The Evaluation Committee reviews the tenders received and, pursuant to article R.2152-1 of the Public Procurement Code, rejects those deemed to be irregular, unacceptable or inappropriate, where appropriate after the implementation of the regularisation procedure provided for in Article R.2152-2 of the same code.

Comparison of offers for selection of the economically most advantageous offer

Tenders will be judged separately according to the following criteria by assigning a score up to the maximum number of points per criterion listed below:

Criterion 1: price of services

The **financial rating (NF on a maximum of 40 points)** will relate to the comparison of the financial offers of **all candidates whose offer is regular**.

Documents to be submitted for the assessment of this criterion:

- Completed and signed price offer slips

Criterion 2: Technical quality

Sub-criteria for assessing technical quality		Maximum number of points
Subr criterion 1	Methodology of organization and execution management <ul style="list-style-type: none"> • Description of the human resources mobilized (dedicated single contact persons, coordinators, call-back, opening hours...) • Presentation of internal mission management procedures (booking, driver assignment, billing management) 	10
Sub criterion 2	Availability and professional experience of drivers Minimum 4 drivers of 2 years minimum experience (05 points per driver) <u>Documents to be submitted for the assessment of this criterion:</u> <ul style="list-style-type: none"> - Summary status of drivers (Annex 2) - CVs + Copy of driver's licenses to be provided 	20
Sub criterion 3	Quality of the vehicle fleet that will be assigned to the execution of Expertise France orders (age, number and range of vehicles, quality of maintenance)	20
Sub criterion 4	Proposed solution if Absence of drivers, change, emergencies...	10

	TOTAL	60

Each technical offer, judged technically compliant, will be awarded a **technical grade (NT on 60 points maximum)** by addition of the weighted scores obtained on each sub-criterion.

[Bids with a technical score below 45/60 will be considered inappropriate.]

Negotiations

After an initial analysis of the tenders, the Evaluation Committee may negotiate with all or some of the bidders in accordance with the principle of equal treatment.

However, the contracting authority reserves the right to award the contract without negotiation.

Bidders hearing – bid negotiation

Bidders will be invited to come to the premises of Expertise France to present their offer.

It is envisaged that these presentations will be held according to the provisional schedule indicated on the first page; otherwise, candidates will be notified via the PLACE platform **of the invitation modalities.**

For this presentation, Expertise France provides the video projector and an internet connection.

Following the presentation, the session will include a negotiation phase on all or part of the offer submitted.

The negotiation can be continued by remote exchanges.

Attribution

An **overall score (NG out of a maximum of 100 points)** obtained by adding the technical and financial scores (**NG=NF+NT**) will be awarded to each offer evaluated technically and financially.

The bidder(s) with the highest overall score will be considered to have provided the most economically advantageous offer and will be awarded the contract.

The contracting authority may not follow up the consultation for any reason of general interest.

ARTICLE 7 : PROCESSING OF PERSONAL DATA IN THE CONTEXT OF THIS CONSULTATION AND FOR MONITORING THE PERFORMANCE OF THE CONTRACT

Pursuant to Article 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and the free movement of such data (GDPR), the candidates/tenderers are informed that personal data (in particular name, surname, email address, login data) collected using the services of the State Procurement Platform (<https://www.marches-publics.gouv.fr>) in the context of this procurement procedure and in the context of the execution of the contract may be subject to processing.

For the processing carried out with the services of PLACE, the Ministry of Action and Public Accounts – the Department of State Procurement and Expertise France, contracting authority, are co-responsible for the processing of personal data.

For processing carried out outside the services of PLACE, Expertise France, contracting authority, is responsible for the processing of personal data.

Identity and contact details of the controller and his representative:

For the PLACE platform:

Ministry of Action and Public Accounts

59, boulevard Vincent Auriol

75703 Paris Cedex 13

Represented by the Director of State Procurement

Operational processing controller:

The State Purchasing Department represented by its Director

Contact details of the Personal Data Protection Officer:

le-delegue-a-la-protection-des-donnees-personnelles@finances.gouv.fr

For the contracting authority:

Expertise France

40 Boulevard de Port Royal

75005 Paris

Represented by its Director-General,

Operational processing controller:

The Information Systems Department represented by its Director

Contact details of the Personal Data Protection Officer:

informatique.libertes@expertisefrance.fr

The legal bases that legitimize the processing correspond to c) and e) of article 6.1 of the GDPR, namely:

- The processing is necessary to comply with a legal obligation to which Expertise France is subject;
- The processing is necessary to carry out a mission of public interest or falling within the exercise of the public authority vested in Expertise France;

The purposes of processing are:

- The management and follow-up of this procurement procedure,
- Management and monitoring of the award of a public contract.

The recipients or category of recipients of personal data are exclusively the authorized personnel of the contracting authority, ministries and operators of the State, in charge of the conclusion and execution of this contract, as well as their assistance providers in its activities.

Retention period: these data are retained for the entire duration of the contract and its execution, as well as during the DUA applicable to the contract.

In accordance with the provisions of articles 15 to 21 of the GDPR, persons whose personal data are collected have a right of access, rectification and erasure of this information that concerns them. They also have the right to restrict processing and object to such processing for legitimate reasons. The exercise of the rights of information and any other exercise of the rights of persons concerned by the processing carried out may be made with the data protection delegate of Expertise France.

The person whose personal data is collected in the context of this procedure has a right to complain to the CNIL.

ARTICLE 8 : OTHER INFORMATION

Any request for additional information on technical or administrative points of the file must be made via the State Procurement Platform no later than 5 working days before the deadline for submission of tenders.

Expertise France undertakes to provide a response no later than 2 working days before the deadline for submission of tenders.

If a question is asked by a candidate, the candidates receive an email inviting them to take note of one or more item(s) in response to the question posed by a candidate.

ARTICLE 9 : REMEDIES AND TIME LIMITS

The body responsible for appeal procedures is the Tribunal de Paris, Parvis du Tribunal de Paris 75 859 PARIS Cedex 17; e-mail: tj-paris@justice.fr.

Information on the introduction of appeals can be obtained from the Registry of the Tribunal de Justice in Paris; e-mail: tj-paris@justice.fr.