



TRADUCTION IS FOR INFORMATION ONLY

RULES ON REQUESTS FOR PROPOSALS

Nb B25-02104-TZ

Hydrogen Liquefier

The main stages of the procedure are as follows:

Stage of the procedure	Planning (closing date)
Deadline for the submission of applications	The 18th August 2025 before 12 p.m
Deadline for submission of offers if your application is successful	The deadline for submission of tenders will be indicated in the invitation to tender.

Candidates' attention is drawn to the fact that the date for submission of tenders will be fixed by mutual agreement with the successful tenderers and, in the absence of agreement, may not be less than 10 days from the date of dispatch of the invitation to tender.

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ARTICLE 1 - PURPOSE

These rules on requests for proposals aim to define the conditions of the request for proposals on Hydrogen liquefier, single lot, which cannot be allotted.

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

ARTICLE 2 - DOCUMENTS APPLICABLE TO THE REQUEST FOR PROPOSALS

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 DSBT-CDC-25-64-1.0 dated of 26th June 2025, diagrams, etc.),
- draft contract with the reference B25-02104-TZ
- 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 a formal negotiated 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 article 59 of decree no. 2016-360 of 25 March 2016,
- 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 six (6) 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

Bidders must submit a proposal in compliance with the Corporate Request for Proposals (basic proposal).

CEA will, however, accept the following types of variants:

- technical

In this case, the bidders must provide all necessary evidence on the feasibility of each variant proposed and credibility compared with the basic proposal.

Variants must comply with the following minimum requirements:

They must meet at least the performance levels described in 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 or 2 or 3, etc."

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

3.1.4 - Minimum requirements applicable to proposals

In the context of the negotiated request for proposals, the proposals submitted must satisfy the following minimum requirements:

In technical term : specifications concerning safety and conformity (§11 of technical specifications)

In administrative terms, the contractual provisions cover:

- Documents to be submitted
- Installation, testing and commissioning
- Terms of payment
- Tax and customs regulations
- Insurance
- Applicable law and jurisdiction.

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 ten (10) 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 - 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 must contact CEA sales representative, Purchasing and Contractual Department, to obtain the sub-contractor acceptance form.

3.4 - 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.

3.5 - Validity of proposals

Proposals shall remain valid for a period of four months from the submission deadline.

3.6 - 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.

The following documents must be produced by the selected candidates before the CEA sends the invitation to tender and within the deadline set by the CEA:

- attestations and certificates issued by the relevant administrations and bodies proving that the candidate has met its tax and social security obligations, or equivalent documents in the case of foreign candidates, dating back less than six months

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;
- Balance sheets or extracts from balance sheets, for the last three years, for economic operators subject to mandatory balance sheets by law.

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;
- A description of the tools, equipment and technical gear available to the applicant for the performance of the government contract;
- 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;
- Professional qualification certificates issued by independent bodies. In this case, the buyer accepts any equivalent type of proof, as well as equivalent certificates issued by bodies in other Member states;
- If the products or services to be provided are complex or if, on an exceptional basis, they must satisfy a specific purpose, a check carried out by the buyer or, on behalf of the former, by a competent official body in the country where the supplier or the service provider operates, subject to the approval of this body; this check will focus on the production resources of the supplier or the technical resources of the service provider and, if necessary, on available study and research resources, and on the action to be taken to check quality;

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.

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 lead time listed in the article corresponding to the draft contract
- A description of the proposed training sessions (content, duration of the various modules, etc.).
- The guarantees proposed, in accordance with the above administrative provisions.
- Details of the execution procedures envisaged and a list of the materials and equipment to be used, together with the corresponding technical data sheets,

We would like to draw your attention to the fact that your price must also include the supply, in French, of all documentation relating to the equipment installed (user manual, maintenance manual, safety instructions, etc.).

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),
- The costs of options:

ITEMS
Design studies
Main supplies
As-Built design and plan file
Manufacturing
Performing acceptance tests
Option 1 : Maintenance kit « cold head »
Option 2 : Transport*

- o as 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.

ARTICLE 5 - SUBMITTING PROPOSALS AND APPLICATIONS

5.1 - Deadline for submitting applications and proposals

The proposals of bidders, including **their application and their proposal**, must be submitted no later than **18th August of 2025, 12 p.m.** (strict deadline).

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

5.2 - Format for submitting applications and proposals

5.2.1 - Electronic format

Bidders may submit their applications and 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.

If a proposal is submitted via CEA 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.

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).

CEA Grenoble
Service des Marchés et Achats
(Purchasing and Contractual Department)
17, avenue des Martyrs
38054 GRENOBLE Cedex 09 (FRANCE)
(To the attention of Thomas ZEMERLI)

If your submission, containing your application and your proposal, is sent by post, a registered letter with acknowledgement of receipt must be used.

Reminder:

Economic operators are required to submit their applications and offers electronically on PLACE, except in the cases provided for in Articles R2132-12 and R2132-13 of the Public Procurement Code.

ARTICLE 6 - ASSESSING PROPOSALS AND EVALUATION OF OFFERS

6.1 - Selection of applications

The CEA verifies that the candidates meet the conditions of participation indicated in the Notice of call for competition and recalled in article 4.1 of the consultation regulations.

CEA does not wish to limit the number of economic operators to apply. A minimum number of 3 applications is desired. However, when the number of candidates meeting

the participation conditions is less than the minimum number indicated, the CEA may continue the procedure with these candidates.

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

- Price of the equipment: 45%
- Energy efficiency / Performance:
 - with nitrogen (article 13.2 of technical specification test 1) on 12%.
 - nitrogen-free (article 13.2 of technical specification test 2) on 7% of the market
- Equipment performance in terms of :
 - production (article 13.1 of technical specification test 1) out of 8
 - boil off (CDC test 3, article 13.1) out of 5%.
 - cooldown time (article 13.2 of technical specification test 4) out of 3%.
- Quality and relevance of the technical response with regard to safety criteria out of 10%.
- Ergonomics and ease of use of the control system out of 10%.

In accordance with the provisions of article R2144-9, 5° of the French Public Procurement Code, contract award criteria will only be communicated to candidates admitted to tender in the letter of invitation to tender.

To this end, bidders should be sure to specify and/or develop the points concerning these criteria in their bids.

CEA reserves the right to negotiate or freeze proposals after the submission of proposals for this request for proposals.

The CEA reserves the right to invite bidders to provide further explanations on their bids.

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 contact

- Jean Marc PONCET - DRF/IRIG/DSBT/LRTH - Tel.: +33 (0)4 38 78. 57 46 – Email: jean-marc.poncet@cea.fr
- Etienne HAVRET- DES/LITEN/DEHT/S2TC/LAPS - Tel.: +33 (0)4.38.78.96.19 - Email: etienne.havret@cea.fr

8.2 - Sales contacts

- Thomas ZEMERLI - Purchasing and Contractual Department Tel.: +33 (0)4 38 78.11.86 - Email: thomas.zemerli@cea.fr
- Anne MANGIN- Purchasing and Contractual Department - Tel.: +33 (0)4 38 78.05.26 - Email: anne.mangin@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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