



PUBLIC MARKET OF INTELLECTUAL PERFORMANCES

French Development Agency

5 Rue Roland BARTHES

75012 PARIS

Subject: Design of Water Regulation Framework in The Gambia

Deadline for submission of offers

Date: 12/12/2025

Time: 16:00 (Paris time)

Regulation of the consultation

Summary

1.	Subject of the contract	3
1.1	Form of the market	3
2.	Organization of the consultation	3
2.1	Procurement procedure.....	3
2.2	Justification in case of non-allotment.....	3
2.3	Provisions relating to groupings	3
2.4	Free variants.....	4
2.5	Imposed variants.....	4
2.6	Modification of the Consultation File	4
2.7	Validity period of the offers	4
3.	Content of the consultation file	4
4.	Presentation of applications and offers	4
4.1	Elements necessary for the selection of applications:.....	4
4.2	Elements necessary for choosing the offer.....	5
5.	Evaluation of applications, offers and award of the contract	6
5.1	Judgment of the applications.....	6
5.2	Judgment of the offers.....	6
5.3	Award of the contract	8
6.	Conditions for sending and submitting applications and offers	9
7.	Additional information.....	11
8.	Annex: Imposed response framework	13
9.	Appendix: Signature Certificate Requirements.....	14

1. Subject of the contract

The consultation aims to: **Design of Water Regulation Framework in The Gambia**

1.1 Form of the market

The consultation is not broken down into lots. The services will give rise to a single market.
This contract is also not subject to tranche or PO splitting.

2. Organization of the consultation

2.1 Procurement procedure

This consultation is conducted in compliance with the provisions of Articles R. 2123-1 and R. 2123-5 of the Public Procurement Code according to an appropriate open procedure with possible negotiation, freely defined by the contracting authority.

The contracting authority will analyse the candidates' tenders on the basis of the tender selection criteria and select the 2 candidates with whom it will negotiate, subject to a sufficient number.

In accordance with Article R. 2144-3 of the Public Procurement Code, the verification of fitness to engage in professional activity, the economic and financial capacity and technical and professional abilities of the candidates may be assessed at any time during the procedure and no later than before the award of the contract.

At the end of these negotiations, it will select the most economically advantageous tender on the basis of the criteria for selecting tenders set out in the notice and/or in this Rules of Consultation.

2.2 Justification in case of non-allotment

Devolution into separate lots is likely to restrict competition or risk making 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 company or to a group of companies.

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

☐ Yes

☒ No

Or as members of several groups:

☐ Yes

☒ No

2.4 Free variants

Free variants are not allowed.

2.5 Imposed variants

There is no PSE planned.

2.6 Modification of the Consultation File

The Contracting Authority reserves the right to make detailed changes to the Consultation File no later than **6 days** before the deadline set for submission of tenders.

The bidders will then have to respond on the basis of the amended file without being able to raise any claim in this regard.

If during the review of the file by the candidates, the above deadline is postponed, the previous provision applies according to this new date.

2.7 Validity period of the offers

The validity period of offers is 180 days from the deadline for submission of the final offer.

3. Content of the consultation file

The consultation file includes the following documents:

- The present rules of the consultation.
- The Application form
- The Single Contract (CU) and its possible annexes
- The specific technical clauses book (C.T.P) and its possible annexes, if applicable.
- The breakdown of the global and flat-rate price (DPGF).

4. Presentation of applications and offers

Candidates will have to produce the documents defined below written in French or English.

4.1 Elements necessary for the selection of applications:

Each candidate shall produce **the application form attached to this document**, to which will be attached the following documents:

- **Declaration on honor justifying that the** candidate does not fall into 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)
- **Where applicable, the document(s) relating to the powers of the person authorized to commit the company**
- **In the case of a grouping, the authorisation document for the representative signed by the members of the grouping**
- **In case of subcontracting, the subcontracting declaration** (attached to the Single Contract)

The candidate may prove his capacity by any other document considered equivalent by the contracting authority if it is objectively impossible for him to produce one of the requested information relating to his

financial capacity.

If, in order to prove his capabilities, the candidate wishes to rely on the professional, technical and financial capabilities of any other participant (particularly a subcontractor), he must produce the documents relating to this participant referred to in this article above. He must also justify that he will have the capabilities of this participant for the execution of the contract by a written commitment from the participant.

Pursuant to Article R. 2143-16 of the Public Procurement Code, as part of their application, candidates are required to attach a translation into French or English to elements written in another language.

It is brought to the attention of candidates 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 means of proof 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 consultation is included in the application file;
- Of a digital storage space, provided that all the information necessary for consultation is included in the application file and that access to it is free.

Furthermore, in accordance with the provisions of Article R. 2143-14 of the Public Procurement Code, candidates are not required to provide the contracting authority with supporting documents and means of proof that 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 market document (DUME) established in accordance with the model laid down by the European Commission regulation establishing the standard form for the European single market document, instead of the sworn declaration and the information mentioned in Article R. 2143-3.

Applicants may constitute or reuse a DUME in its electronic version via one of the following urls: <https://ec.europa.eu/tools/espd/> OR <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 procurement document that they have the required skills and abilities without providing specific information on them.

4.2 Elements necessary for choosing the offer

For the choice of the offer, candidates must produce the following documents:

- **A Single Contract (CU) (attached to be completed, dated and signed electronically)**

Information on the use of electronic signatures:

Bidders are asked not to use an electronic signature blocking the addition of another electronic signature.

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

- **The financial annex: The breakdown of the lump sum price (DPGF).**
- **A methodological note** or technical brief drafted on the basis of the outline presented in the

appendix "Response framework imposed" to this Consultation Regulation.

The documents submitted by the contracting authority with the exception of:

- Those listed above as well as their annexes
- The Contract duly completed by the tenderer

Are not to be included in the offer.

Only the documents held by the Contracting Authority are authentic. Including the Contract if any changes – other than those required for its filling - were made by the bidder.

Candidates are reminded that the signing of the Contract constitutes acceptance of all contractual documents.

5. Evaluation of applications, offers and award of the contract

5.1 Judgment of the applications

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

The criteria for the admissibility of applications are:

- Technical and financial guarantees and capabilities
- Professional capabilities

Under the following conditions:

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

Applications are declared inadmissible if they do not provide sufficient financial, technical and professional guarantees in relation to the purpose of the service.

5.2 Judgment of the offers

The criteria used to evaluate tenders are weighted as follows:

Price of the services: Definition and assessment of the criterion: The maximum score (NM) will be awarded to the candidate who submitted the lowest financial offer. The other candidates will be assigned a score calculated on the basis of the following formula: $N = NM \times (WCO/NAO)$ where N is the candidate's grade, OMD the amount of the lowest bid, OAN the amount of the bid to be noted.	30/100
--	--------

Operating procedure in line with the expected results of the mission: Definition and assessment of the criterion: <ul style="list-style-type: none"> - Understanding of needs, context and issues - General approach, framing, relevance of the methodology and work plan Coherence, relevance and quality of the organization of human resources	30/100
Quality of the team of experts presented Definition and assessment of the criterion: <ul style="list-style-type: none"> - . Expertise 1 in governance and integrated management of water resources with significant experience on climate change adaptation issues (in complementarity with the profiles mentioned below). - Expertise 2 in hydrogeology for groundwater production systems. - Expertise 3 in environmental and social assessments with strong expertise in gender equality and social inclusion. Expertise 4 in legal and regulatory analysis in the water, environmental or natural resources sectors.	35/100
Environmental & Social Criterion: Definition and assessment of the criterion: <ul style="list-style-type: none"> -- <i>Social policy measures related to the subject of the contract (management of the social climate with dedicated staff, training measures for dedicated staff, professional equality measures, etc.)</i> - <i>Measures proposed to reduce the ecological footprint of services (smart reduction/organisation of the number of flights, user guides, good practices, etc.)</i> 	5/100

Eliminatory technical score: Any candidate who does not achieve the minimum score of 45/65 for technical value will automatically have their offer rejected.

Correction of offers:

In the event of a discrepancy found in the offer, the information given in the statement of flat rates shall prevail over all other information in the offer and the estimated amount shall be adjusted accordingly.

In the case of a unit price, errors of multiplication, addition or carry-over which would be noted in this estimate shall be corrected and, for the evaluation of tenders, it is the amount thus corrected from the estimate that shall be taken into consideration.

In the case of a unit price and if the subdetail of a unit price is requested, if errors of multiplication, addition or carry-over are found in this subdetail, in the offer of a competitor, the amount of this price will not be adjusted for the judgment of the consultation.

However, if the service provider concerned is about to be selected, it will be asked to correct this sub-detail to bring it into line with the corresponding unit price. In case of refusal, its offer will be eliminated as non-coherent.

Will be declared as irregular, an offer which, while providing a response to the needs of the contracting authority, is incomplete or does not comply with 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.

Will be declared as irregular, an offer which, while providing a response to the needs of the contracting authority, is incomplete or does not comply with 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.

The terms of the negotiation are defined *in the article Procurement procedure*.

The contracting authority will discard the inappropriate tenders and proceed to select, after an initial ranking made on the basis of the criteria defined above, 3 candidates who may be admitted to negotiate. After possible negotiations with these candidates (except if there are insufficient candidates), the contracting authority will choose the most economically advantageous tender.

In the context of these negotiations, the successful candidates may be invited as many times as necessary by the contracting authority, under strict conditions of equality, to specify, supplement or modify their offer without substantial changes being made to the specifications.

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

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

5.3 Award of the contract

Prior to the signing of the contract, and in accordance with article R2144-7 of the Public Procurement Code, the successful tenderer must submit the documents requested below on the supplier certificates collection tool provided by the Awarding Authority (Provigis tool):

- A valid document attesting to the effective registration of the structure (excerpt K-bis or equivalent);
- A valid certificate issued by the competent authorities certifying that the candidate is up to date with their social obligations (URSSAF, RSI, AGESEA, MDA...);
- The nominative list of foreign workers outside the EC or posted, employed by the structure or failing that, a sworn statement 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 applicant is up to date with his/her tax obligations;
- A valid civil and/ or professional liability insurance certificate.

In order to satisfy this latter obligation, the applicant established in a State other than France must produce a certificate drawn up by the administrations and bodies 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 those States where no such oath exists, by a solemn declaration made by the person concerned before the competent judicial or administrative authority, a notary or a qualified professional organization of the country.

Failure to submit these documents within the set time limit will result in rejection of the successful candidate's offer and elimination.

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

6. Conditions for sending and submitting applications and offers

The transmission of documents by electronic means 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 acknowledgment of receipt.

It is strongly recommended to initiate the tender submission **at least 2 hours before the DLRO**.

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

Preparing in advance:

Need for digital certificate - Configuration in advance of the workstation - recommendation to prepare with the Test consultation.

In the case of an electronic response, the electronic signature of certain documents is required.

The tenderer must have previously acquired an electronic certificate. Obtaining an electronic certificate takes several days or even weeks. If the tenderer does not have a valid electronic certificate in the context of the response to a dematerialised contract, it is imperative that he request one in advance.

It is also strongly recommended that the bidder make arrangements so that its electronic response is filed within the allotted time. A workstation configuration test as well as test consultations are made available on the platform.

Accepted file formats:

In the event of a response being sent electronically, the documents provided must be in one of the following formats, otherwise the offer will be inadmissible:

- Microsoft proprietary office format compatible with 2003 version (.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 the subject of a security archive and will be deemed never to have been received. The concerned candidate will be informed. Under these conditions, candidates are advised to submit their documents to an anti-virus before sending.

Electronic signature of the response files:

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

By application of the decree of March 22, 2019 relating to the electronic signature of public order contracts, the candidate must comply with the conditions related to:

- to the signatory's signature certificate,
- to the signature tool used (software, online service, initiator if applicable), which must produce electronic signatures in accordance with regulatory formats. (see appendix)

General reminders: ZIP folder and scanned signature:

Documents submitted electronically will be re-materialized after the opening of the envelopes. Candidates are informed that the award of the contract may give rise to a handwritten signature on the paper contract.

- Each file to be signed must be individually signed, so that each signature can be verified independently of the others,
- A signed zip folder is not accepted as equivalent to the signature of each document that constitutes the zip folder,
- A scanned handwritten signature has no value other than that of a copy and cannot replace the electronic signature.

Backup copy:

Candidates may also send, within the time allowed for the submission of tenders, a backup copy on electronic physical medium (USB key) or on paper. This copy is sent to the address below, in a sealed envelope and must include the mention: 'backup copy', the identification of the procedure concerned and the contact details of the company:

Group Purchasing Department (DAG)
Procedure No. CLN-2025-0429
5 Rue Roland Barthes
75012 Paris
FRANCE

The documents of the backup copy must be signed (for documents whose signature is mandatory). If the physical medium is electronic, the signature is electronic.

This backup copy may be opened in the cases described in Article 2 II of the decree of March 22, 2019 setting the terms for making available the consultation documents and the backup copy.

The unopened envelopes containing the backup copy will be destroyed by the contracting authority at the end of the procedure.

7. Additional information

To obtain any additional information related to this consultation, candidates must submit their application:

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

When downloading the consultation file, it is recommended that the company create an account on the dematerialization platform where it will include the name of the tenderer's organization, and an email address in order to keep it informed of any changes occurring during a procedure (addition of a document to the DCE, sending a list of answers to questions received...).

Only requests sent at least 10 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 the receipt of offers to candidates who have uploaded the consultation file on the dematerialization platform after having previously identified themselves.

Regarding the information relating to the *delivery* of dematerialised offers, please refer to the article Conditions for sending and delivering applications and/or offers in this document.

ANNEX: DECLARATION OF HONOUR

I, the undersigned.....

Acting in the capacity of

Company name and address:

.....

a) declares on his honor:

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

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

b) declares on his honor not to fall into one of the exclusion cases provided for in Articles L. 2141-1 to L. 2141-5 or Articles L. 2141-7 to L. 2141-10 of the Public Procurement Code.

N.B.: When an economic operator is, 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 French Public Procurement Code, he informs the buyer without delay of this change of situation.

Evidence documents available online:

Internet address at which supporting documents and means of proof are accessible directly and free of charge, as well as all the information necessary to access them:

- Internet address:

- Information required to access it:

.....

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

Done at

The

Signature.....

.....

8. Annex: Imposed response framework

The Service Provider's answers must not exceed **30** pages (excluding CVs).

These responses must imperatively respect the following framework:

A - Summary of your offer

- A.1** - Understanding of AFD's expectations
- A.2** - Summary of the steps of your intervention
- A.3** - Overall Mission Schedule

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

C - Detailed description of your offer

- C.1** - Detailed description of the content of the proposed steps (diagnosis, analyses, scenarii, action plan, methodology, reporting...)
- C.2** - Means implemented
- C.3** - Instances and practical methods of steering the mission
- C.4** - Detailed table of deliverables
- C.5** - Detailed planning

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

E - Presentation of the team that will intervene on this mission

- E.1** – Constitution of the team and distribution of responsibilities among its members
- E.2** – CVs of the speakers (3 pages maximum per speaker)

F – CSR Considerations

- F.1** – Environmental action implemented for the service in accordance with the contract
- F.2** – Social action implemented for the service

9. Appendix: Signature Certificate Requirements

Certificate of signature:

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

Nevertheless, for candidates who already have an "RGS" certificate, it remains usable until the end of its validity period.

- Case 1: Certificate issued by a "recognized" Certification Authority - No supporting documents to provide

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

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

European applicants will also find the complete list of providers on the trusted list maintained by the European Commission:

<https://webgate.ec.europa.eu/tl-browser/#/tl/FR>

In this case, the bidder has no supporting document to provide on the signature certificate used to sign its 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 Framework (RGS) and "eIDAS".

The candidate ensures by himself that the certificate he uses is at least compliant with the security level defined by the General Security Framework (RGS) or "eIDAS", and provides the supporting documents in his electronic response.

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

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

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

b) the technical tools for certificate verification (complete certificate chain up to Root CA, download address of the latest certificate revocation list update).

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

Signature tool used to sign files:

The regulation allows the bidder to use the signature tool of their choice.

- Case 1: The bidder uses the platform's signature tool - No supporting documents to provide

The platform integrates an electronic signature tool, which produces signature tokens in the regulatory format XAdES.

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

- Case 2: The bidder uses a different signature tool than the one integrated 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 the following two obligations:

- a) Produce XAdES, CAdES or PAdES signature formats.
-) Allow verification by transmitting in parallel the elements necessary to proceed with the verification of the validity of the signature and the integrity of the document, free of charge.

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

Appendix: Authorization of the representative by his co-contractors (to be completed for each co-contractor)

I, the undersigned.....
 Acting in the capacity of
 Company name and address:

 Identification number (SIRET or equivalent)

Authorize the representative mentioned by name below to:

- The grouping formed and detailed in this document
- The only present consultation

Purpose of the consultation:

Presentation of the group

The candidate is a group of companies

Identification of the members of the Group

Commercial name and company name, address of the establishment, email address, telephone and fax numbers, SIRET number of the members of the group	<i>Services carried out by the members of the group</i>

Designation of the Representative

The members of the grouping shall appoint the following representative:

Business name and legal name of the unit or establishment that will perform the service:

Postal and registered office addresses (if different from the postal address):

Email address:

Telephone and fax numbers:

SIRET number, in the absence thereof, a European or international identification number or one specific to the country of origin of the economic operator from a directory included in the list of [DCIs](#):

To assert what is right

Done at

The

Signature