

REQUEST FOR PROPOSAL

I. CONTEXT

Expertise France is the French public international cooperation agency. It designs and implements projects which aim to contribute to the balanced development of partner countries, in line with the Sustainable Development Goals (SDGs) of the 2030 Agenda and the priorities of France's external action. Expertise France's mission is to meet the demand of partner countries seeking to enhance the quality of their public policies in order to address the environmental, social, economic and security challenges they are facing. The agency achieves this goal by implementing projects in the main areas of public action:

- Democratic, economic and financial governance;
- Stability, international security and peace
- Sustainable development, climate and agriculture
- Health and human development

Expertise France (EF) is a public agency created on the 1st of January 2015, and it has joined AFD Group as of January 1, 2022. EF offers program engineering and technical assistance by developing and implementing international cooperation actions worldwide. Expertise France is the French public agency for international technical assistance.

Project: Supporting progress in key areas of public administration reform in Lebanon

Since 2019, Lebanon has been facing one of the worst economic crises globally since the mid-nineteenth century according to the World Bank, with 2 major events intensifying its impact, the COVID-19 pandemic and the Beirut port explosion in 2020. As the financial and economic situation unfolds, the downfall can be seen in all of the country's aspects, from the availability of state services to the functioning of public administrations. Understanding the extent of this downfall requires an overview of several key facts that could represent Lebanon's new reality.

Lebanon has also been facing political and economic crises for several years. The country has a complex political system that is based on power-sharing arrangements among its religious sects. However, this system has led to political gridlock, corruption, and a lack of accountability, which has resulted in a deteriorating economic situation and social unrest. The political deadlock in Lebanon refers to the ongoing inability of the country's political leaders to form a functioning government. This deadlock has been repetitive and has always persisted for multiple months and sometimes years.

The country's worsening context has severe consequences on all sectors, with Lebanese public administrations being the most affected due to the reduction of available public funds. This has affected the core of public services and the basic functioning of administrations.

Background

In 2021, the Lebanese Parliament enacted a new Public Procurement Law aligned with international standards and developed following a comprehensive MAPS assessment. This landmark legislation established an independent Public Procurement Authority (PPA), replacing the former Tender Board, which operated under the Central Inspection.

The Public Procurement Law (PPL) was ratified in June 2021 and came into effect in July 2022. In parallel, the National Public Procurement Reform Strategy (NPPRS) and its Action Plan were launched in January 2022 by the Prime Minister, in the presence of key national and international partners including the World Bank, European Union, AFD, UN, and UNDP, alongside government entities, private sector representatives, and civil society organizations. The NPPRS and its 2022–2024 Action Plan were subsequently approved by the Council of Ministers on May 20, 2022:

- The reform strategy defines four strategic objectives designed to steer and sustain the transformation of Lebanon's public procurement system. Bring the regulatory and policy framework in line with good international practices.
- Create an institutional framework for successful procurement management and build corresponding capacity.
- Economy and efficiency in procurement operations and practices.
- Promote accountability, integrity and transparency in public procurement.

The new Public Procurement Authority was officially established on July 29, 2022 in accordance with the law. This authority requires a lot of aid, especially as it is the first of its kind to be established in Lebanon.

Accordingly, a new EU Program Action started in November 2023 that aims to support progress in key areas of public administration reform in Lebanon through enhancing the integrity, transparency and accountability of its public administration aligned with the principles of a modern public administration. It consists of three components:

1. Safeguarding integrity of the public administration, mainly in the area of public human resources management (i.e. civil service reform);
- 2. Enhancing transparency in public administration systems, mainly in the area of public procurement at central and local level (i.e. public financial management reform) and access to public information (i.e. accountability);**
3. Strengthening accountability of the administration by reinforcing the role of the main oversight bodies (i.e., Central Inspection Board, Court of Audits and National Anti-Corruption Commission) in implementing reform, fighting and preventing corruption.

The Outputs to be delivered contributing to the outcome 2 on public procurement reform are:

- 2.1. The public procurement system is regulated by an independent authority committed to the principles of transparency, fair treatment of all bidders and equal opportunities to participate;

2.2 Centralized and decentralized public procurement systems more transparent by setting up the e-procurement platform;

2.3 Skills of procurement officers and stakeholders enhanced and public procurement function created;

2.4 The role of civil society organizations in supervising and monitoring public procurement enhanced.

Output 2 is complementary with the previous AFD-funded project, implemented by EF, which aimed to support public procurement reform in Lebanon. It had a duration of 27 months (ending date February 2024) and supported the Lebanese authorities in structuring and monitoring the reform, implementing the legal and regulatory framework at the operational level, building the capacities of institutions and public procurement agents, and improving the transparency and integrity of the system.

Needs justification

The Public Procurement Authority (PPA) has recently upgraded and launched its official web portal, marking a major step in the digital transformation of Lebanon's public procurement system. The portal currently serves as a comprehensive transparency and information platform, providing access to procurement data, plans, tender notices, and contract awards in line with the Open Contracting Data Standard (OCDS).

Nevertheless, in accordance with Law No. 244/2021 on Public Procurement, the PPA is mandated to establish and operate a fully integrated e-procurement platform that enables the complete electronic management of procurement processes, from planning and tender publication to bid submission, evaluation, contract award, and reporting.

An e-procurement system known as DELTA was previously developed, procured, and customized by the Office of the Minister of State for Administrative Reform (OMSAR) before the entry into force of Law 244/2021. As such, the system was designed on the basis of the former legal and institutional framework, which is no longer applicable. Although DELTA was subsequently transferred to the PPA, it has not yet been deployed or made operational, and it does not reflect the requirements, roles, and procedures introduced by the current Public Procurement Law.

To ensure compliance with the new regulatory framework and to advance the digitalization of public procurement, the PPA needs to determine the most efficient and sustainable approach to establishing the national e-procurement platform. This requires a comprehensive assessment of the existing DELTA system, including its technical architecture, functionality, and capacity for adaptation.

The purpose of the current assignment is therefore to evaluate whether DELTA can be feasibly upgraded and customized to meet the legal, technical, and operational requirements of Law 244/2021, or whether developing or procuring an alternative solution would be more effective and cost-efficient. The results of this evaluation will guide the PPA's strategic decision on the next phase of the e-procurement system implementation, ensuring alignment with national objectives, international best practices, and sustainability considerations.

II. PURPOSE AND MAIN FEATURES OF THE DRAFT CONTRACT

The subject of the proposed contract is the Evaluation of the existing E-procurement platform “Delta platform” and comparison to other potential solution for E-procurement in Lebanon as defined in the specifications attached to the consultation file.

MAIN FEATURES OF THE DRAFT CONTRACT

Nature of the prizes	All-inclusive price
Delivery time	3 Months
Maximum amount of the financial envelope	not specified
Place of performance of the contract	Public Procurement Authority, Verdun Beirut Lebanon
Currency of payment	USD

III. PROCEDURE’S SCHEDULE

	DATE*	TIME
Deadline for submitting tenders	30th of March	17:00 Paris Time
Completion date for evaluating technical offers	10th of April	N/A
Notification of award	15th of April	N/A
Start date	15th of April	N/A

*Provisional date

IV. PROCUREMENT PROCEDURE

The present procurement procedure is subject to the French Code of public procurement in its latest version in force as enacted by Order No. 2018-1074 issued on 26 November 2018 and its Implementation Decree No. 2018-1075 issued on 3 December 2018.

Expertise France proceeds with the “adapted procedure” by virtue of applying articles L. 2123-1 and R. 2123-1 au R. 2123-7 of the above mentioned Code

V. CONTENT OF THE TENDER DOSSIER

The tender dossier is composed by the following documents :

- The current request for proposal (DAJ_M001ENG) ;
- terms of reference;
- The expression of interest form and his appendices the declaration of honour on exclusion criteria and absence of conflict of interest template (DAJ_F043ENG) and the identification sheet of a third party (DAF_F013ENG) ;
- Draft Contract
- DAJ_F062ENG_v01 - GDRP compliance verification form (4)

- Beneficial owners declaration form

VI. PRESENTATION OF TENDERS

The application and tender documents as well as all correspondence and documents relating to this consultation must be written in english.

In support of their offer, candidates must submit a file consisting of the following documents:

- The expression of interest form and his appendices, the declaration of honour on exclusion criteria and absence of conflict of interest template and the identification sheet of a third party ;
- A technical offer comprising: :
 - a description of the methodology that will be used to carry out the activities,
 - a detailed timetable,
 - CV of the expert(s) designated for the implementation of the activities (specify) ;
- A breakdown of the financial tender presented in the form of a unit price schedule indicating the price in man-days and with an estimate of the number of days necessary to carry out the service and covering all the services owed under the contract;
- Contract filled and signed duly by the authorised representative
- Filled and signed GDPR Compliance verification form
- Filled and signed Beneficial owners declaration form
- 2 references from previous clients who have undertaken similar projects.
- Filled bill of quantity attached to the call.
- A copy of the VAT Certificate
- A copy of the Company Registration document
- A copy of a recent commercial circular
- A copy of the Ministry of finance registration
- Copy of passport or ID for the Board members

The documents requested above are mandatory. If they are missing, the tender submitted will not be compliant and will therefore be rejected.

The period of validity of the tenders submitted is fixed at 90 calendar days from the deadline for submission of tenders.

VII. TRANSMISSION MODALITY OF TENDERS

[All the required documents must be sent before les date the deadlines indicated in Article III. PROCEDURE'S SCHEDULE.

To access the market consultation area or to submit their tenders, tenderers must log on to the State Purchasing Platform at the following address: <https://www.marches-publics.gouv.fr>

In the " Recherche d'une procédure restreinte " section at the bottom of the page, they will have to fill in the requested fields with the following information:

- **Public entity: State operators**
- **Purchasing entity: OPERATORS / EF - EXPERTISE FRANCE**
- **Reference : 201x-x-xx**

- ***Access code: XXXXXX to be determined]***

Submission by electronic means is mandatory. Any other form of submission will be rejected.

The procedure for submitting bids is detailed on the website www.marches-publics.gouv.fr.

Tenderers will find a downloadable "user's guide" which specifies the conditions of use of the State purchasing platform, in particular the technical requirements and electronic certificates.

If they so wish, applicants may contact 09 72 37 01 30 every working day from 9.00 am to 7.00 pm to receive technical assistance in carrying out these operations.

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

The costs of accessing the network and using the electronic signature are to be borne by each candidate.

Tenderers are invited to test their workstation configuration and respond to a test consultation, to ensure that the IT environment is working properly.

Tenderers' attention is drawn to the fact that they must at least have Internet browsing software. The provision of an electronic signature tool is not mandatory.

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

ATTENTION!

Any file constituting the tender must be free of any computer virus and must be treated beforehand by the tenderer with a regularly updated anti-virus software. The same applies to any other file exchanged in the context of this public procurement procedure.

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

NB: Tenderers' attention is drawn to the time required for the delivery of bulky electronic documents. The average download time may vary depending on various parameters such as the technical capacity of the equipment, the type of Internet connection, the traffic on the network, etc.

As the date and time of the end of delivery is decisive for the submission of a paperless response, bidders are advised to build in some flexibility into their paperless response process.

Even if its tender in this public procurement procedure has been transmitted electronically, the tenderer undertakes, in particular if its tender is accepted, to accept the conforming re-materialisation in paper form of all the constituent documents of contractual value. In this connection, they also undertake to ensure that the natural person who signs them electronically signs them by hand without making any changes to them and returns them to the contracting authorities in that form. Finally, he undertakes to accept notification of them, in accordance with the usual procedures in force, in paper form].

All the required documents must be submitted before the deadline indicated in article III. PROCEDURE'S SCHEDULE, by electronic means only, to the address mentioned at the article IX. FURTHER INFORMATION.

Submission by electronic means is mandatory. Any other form of submission will be rejected

VIII. SELECTION PROCEDURE

Expertise France will first check the eligibility of the applications and their ability to provide the service. Finally, it will evaluate the offers according to the following criteria:

CRITERIA	WEIGHTS
Quality	60
Vendor References	(20)
Proposed Assessment Methodology	(30)
Proposed delivery timeline	(10)
Price (including TCO)	40

Expertise France may, if it deems necessary, open negotiations with all or some of the tenderers and will conclude the contract with the entity that submitted the best-rated tender in the light of these criteria.

IX. SELECTION PROCEDURE

If a candidate wishes to have additional information on technical or administrative points of the file, he may submit his questions on the Plateforme des Achats de l'Etat (PLACE).

X. PROCESSING OF PERSONAL DATA

Expertise France undertakes to comply with the regulations in force applicable to the processing of personal data and, in particular, regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 applicable from 25 May 2018.

Identity and contact details of the controller and its representative :

Expertise France

40, Boulevard de Port Royal

75005 Paris

Represented by its Managing Director,

Operational controller :

The Information Systems Department represented by its Director

Contact details of the Data Protection Officer:

informatique.libertes@expertisefrance.fr

The legal grounds for the processing operation(s) correspond to Article 6.1 (c) and (e) of the GDPR, namely that:

- The processing is necessary to comply with a legal obligation to which Expertise France is subject;
- The processing is necessary for the performance of a task in the public interest or in the exercise of official authority vested in Expertise France;

The purposes of the processing operation(s) are :

- The management and monitoring of this procurement procedure;
- Management and monitoring of the concluded public contract.

The recipients or categories of recipients of personal data are exclusively the authorised personnel of the contracting authority, ministries and State operators in charge of awarding and executing the contract, as well as their service providers.

Retention period: this data is kept for the duration of the contract and its execution, as well as for the duration of the contract.

In accordance with the provisions of Articles 15 to 21 of the RGPD, the persons whose personal data are collected have a right of access, rectification and deletion of this information concerning them. They also have the right to limit processing and to object to such processing on legitimate grounds. The exercise of the rights of information and any other exercise of rights of the persons concerned by the processing operations carried out may be made to the Expertise France data protection officer.

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

Expertise France undertakes to guarantee the confidentiality of proposals sent to it and to ensure the security and storage of these proposals.

XI. REMEDIES AND TIME LIMITS

The body responsible for appeal procedures is the Paris administrative court, 7 rue de Jouy, F-75004 Paris; e-mail: greffe.ta-paris@juradm.fr.

Candidates may obtain information on the introduction of appeals from the Registry of the Paris Administrative Court, 7 rue de Jouy, F-75004 Paris; e-mail: greffe.ta-paris@juradm.fr.