

Procurement Department

DEMR

TENDER RULES

Tender reference:
2025ABAR-TWO POSITIONERS-DEMR

PURPOSE OF THE TENDER

**ELEMENTS FOR DELIVERY AND INTEGRATION OF TWO
POSITIONERS WITH ACCESSORIES AND TOOLS**

DEADLINE FOR SUBMITTING APPLICATIONS AND TENDERS

Tuesday, 27th may 2025, 16:00 (GMT+01:00)

Defense or security Procurement

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PREAMBLE

The tender documents are made up of the following:

No.	Title
Attm 1	The tender rules , defining the terms & conditions of the tender, and its annex: <ul style="list-style-type: none"> • Supplier Information Sheet (Annex 1)
Attm 2	The draft contract and its 3 annexes: <ul style="list-style-type: none"> • Certificate relating to the prevention of concealed or illegal work (Annex 1) • Breakdown of the total and fixed price (DPGF) (Annex 2) • Contractual clause for the protection of French national defense secrets (Annex 3)
Attm 3	The Technical Specification of Requirements (TSR) reference DEMR TSR_Pan and Tilt System-1.0-STB- dated 15/04/2025
Attm 4	The Requirements and conformity matrix
Attm 5	An English version of the General Administrative Clauses applicable to common supplies or services contracts (CCAG-FCS) in the version approved by the order of 30 March 2021 (ref. CCAG-FCS_EN-for information only) ¹

These documents are the property of ONERA. The information thus communicated may not be used for any other purpose than preparing a bid for this tender.

The tender documents can be downloaded from the French government's purchasing platform ("PLACE") at the address <https://www.marches-publics.gouv.fr>, on ONERA's buyer profile under the reference 2025ABAR-TWO POSITIONERS-DEMR.

Information on downloading via PLACE:

1/ It is recommended that applicants identify and register (login) themselves when downloading the file from the platform. Otherwise, they will not be able to receive any messages relating to the procedure, transmitted exclusively by PLACE (e.g. changes to the tender file, answers to questions, etc.)

2/ Electronic messages sent by the platform are sent from the e-mail address nepasrepondre@marches-publics.gouv.fr. It is the applicant's responsibility to ensure that emails sent from the PLACE are not filtered.

¹ The document is attached to the consultation as information only. In case of interpretation or contradiction, only the French version shall prevail.

1 PURPOSE – DESCRIPTION OF THE SERVICE AND ITS STRUCTURE

1.1 Purpose

This specific tender rules document defines the rules of the procedure prior to the award of a contract. The purpose of this will be to provide and to deliver two positioners systems accompanied by accessories and with the technical training and the punctual technical assistance for parameterization, partial integration and balancing and installation for the benefit of the ONERA centre in Toulouse².

The main contract requirements are described in the draft of the contract.

1.2 Funding

The service will be funded with ONERA's own funds.

1.3 Structure

The contract concerned is a simple contract.

1.4 Security of the contract

The contract to be concluded corresponds to a contract qualified by ONERA as a "standard contract in a ZRR (*Zone à Régime Restrictif – Restricted Area*)" with access control (MZ).

1.5 Deadline of the contract

The deadline for the global execution of the contract must not exceed eighteen (18) months from its award notification (june 2025). In fact, the system shall be functional over the use period potentially up to 2027.

The deadline for the delivery of all equipments in ONERA Toulouse center **shall not exceed** five (5) months from its award notification.

2 CONTRACTING PROCESS - PROCEDURE

2.1 Procedure

In accordance with the provisions of Articles L.2123-1 and R.2123-1 of the French Public Procurement Code (FPPC)³, in light of the nature of the services and the amount at stake, the tender is being carried out according to an **adapted procedure**.

The procedure set up by ONERA is an **open competition with prior publicity** and the **possibility of negotiating the bids** - see the negotiation procedures in Article 4.2 of this document.

However, ONERA reserves the right to award the contract on the basis of the initial offers received without negotiation. (*Articles R.2123-4 and 5 of the French Public Procurement Code (FPPC)*)

² 2 avenue Marc Pégélin 31400 TOULOUSE-France.

³ French Public Procurement Code is available in its entirety at the following address:

<https://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000037701019&dateTexte=20190524>

The procedure takes place in a single round of joint submission of applications and tenders.

2.2 Allocation

The contract consists of a single package.

2.3 Variants and possible additional services

Definitions	
Variants	alternative offer
Possible additional service (PAS)	addition of an extra functionality not necessary for the proper performance of the services and not modifying the basic offer. This can be seen as an option that can be confirmed or not by ONERA. In the event that the functionality is not confirmed, this shall not in any way compromise the basic offer.

a. Variants

The "free" variants, at the initiative of the tenderer, are authorised to meet ONERA's needs.

Variants must be clearly identified in the candidate's dossier. For each variant, a separate tender must be submitted.

Each candidate shall submit a bid to the initial tender.

There are no variants "imposed" by ONERA.

b. Possible additional services

The tender includes the following possible additional services imposed by ONERA :

No.	Description/purpose	Optional/Mandatory costing
Possible additional services	the maintenance service could be proposed for these equipments	Optional

the Possible additional services to be costed OPTIONAL (listed in the table above) are not taken into account in the analysis of the tenders (see Article 4.2 below). ONERA decides to retain these possible additional services only after the award of the contract agreement.

2.4 Communications

Throughout the tender period, the candidate may contact and ask questions to ONERA concerning the project and the procedure. **All communication shall take place exclusively via the PLACE online portal on ONERA's buyer profile.** They must be received at the latest seven (7) working days before the deadline for submission of applications and tenders (set out

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in front page). ONERA undertakes to provide an answer to all questions asked. No answers will be provided to questions received after the deadline. No oral questions will be answered. All questions and their related answers shall be transmitted to all applicants. This is subject to their general scope and to the confidentiality of the information provided by the applicant.

2.5 Modifying the details of the tender dossier

ONERA reserves the right to make minor modifications to the tender document, at the latest five (5) working days before the deadline set for the submission of tenders. The candidate must then submit a bid on the basis of the modified tender dossier, without being able to lodge any complaint in this regard.

If, during the candidate's consideration of the file, the deadline for the submission of tenders is postponed, the preceding provision is applicable in relation to this new date.

2.6 Consortium of companies

In accordance with the provisions of Articles R.2342-12 of the French Public Procurement Code (FPPC), a candidate may choose to respond in a consortium with one or more other companies. If this is the case, the legal form to be applied by the consortium at the time of the award of the contract is either a joint and several consortium or a joint consortium with joint and several liability of the consortium's representative, for reasons of liability.

The same tenderer may not submit several applications acting both as an individual applicant and as a member of one or more consortia or as a member of several consortia.

Throughout this document, "the candidate", "the applicant", "the tenderer", "the company", "the economic operator", "the company", "the tendering company", or "the future contractor" refers to the tenderer alone or to all the members of the consortium, as appropriate.

The applicant undertakes to pass on all the clauses and constraints of the present tender and of the future contract to any co-contractors.

The details to be added to the draft contract (Attm 2) in the case of a consortium will be communicated later by ONERA to the applicant concerned, if necessary.

2.7 Subcontracting

The future contractor may subcontract the execution of one or more components of the services requested.

Subcontracting may be announced when the applicant submits their bid or at a later date, during the performance of the contract. Under all circumstances, any subcontracting must be declared and submitted to ONERA for explicit prior acceptance before commencing execution of the subcontracted services.

Please note that full subcontracting is prohibited.

The applicant undertakes to pass on all the clauses and constraints of the present tender and of the future contract to any subcontractors approved by ONERA.

2.8 Supplementary supply contract

In accordance with Article R.2322-8 ° of the Public Procurement Code (PPC), ONERA reserves the right to award contracts for complementary supplies intended either for the partial renewal of supplies or for the extension of supplies to be acquired under the contract concerned by the present tender.

3 PRESENTATION AND ANALYSIS OF APPLICATIONS

3.1 Presentation of the application file

a. General Information

If the candidate relies on the professional, technical, and financial capacities of one or more other companies (co-contractors, subcontractors), they must produce the same documents concerning them as those required for the candidate alone.

The documents requested in the tender dossier must be written in French or English. Nevertheless, documents issued by the administrative authorities of the applicant's country may be provided in the official language of the country, however, the applicant must provide a translation of these documents into French or English.

Whichever way the tenderer chooses to present their dossier, their attention is drawn to the importance of producing all the documents requested.

The procedure is not open to economic operators from countries outside the European Union or the European Economic Area (article R.2342-7 of the CCP).

b. Administrative documents: content and form of presentation

In support of their bid, candidates must provide the following elements, in accordance with Article R.2343-3 of the Public Procurement Code (PPC):

No.	Document/ Information	Comments
C1	<p>ONERA supplier information sheet (annex 1 to this document) as a letter of application, a declaration of professional, economic, financial, and technical competence, and a sworn statement justifying that they do not fall within any of the cases in which they are prohibited from tendering.</p> <p>Besides, the supplier must provide references of the same magnitude as the project in order to prove its speciality in the technical equipment concerned.</p>	<p>Completed and signed by a person authorised to bind the applicant.</p>

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C2	Unique identification number (SIREN no. issued by INSEE) ⁴ or, failing that, any document proving their company's registration, issued by the competent judicial or administrative authority in the country of origin, dating back no more than three months.	
C3	Delegation of powers in the event of signature by a person other than the person(s) identified as the applicant's "Directors". ⁵	

Where appropriate and justified, the candidate may provide any other document proving their economic, financial, technical, and professional capacity, for example in the case of a recently established company.

Furthermore, the tenderer is exempted from sending the requested application documents if they are contained in a free digital storage space. In this case, the candidate must provide the information necessary to access the storage space.

3.2 Assessment of the tender

The submission is assessed on the basis of the information and documents requested above. This takes into consideration the legal situation of the economic operator as well as their technical (in particular previous references, workforce), economic, and financial guarantees and capacities (in particular revenue) in accordance with the provisions of Articles R.2344-1 to 8 of the French Public Procurement Code (FPPC).

ONERA may analyse the application dossiers at any time during the procedure and, at the latest, before the contract is awarded.

After analysing the content of the documents provided in the application dossier, ONERA rejects candidates who do not have sufficient capacity, those who do not present all the supporting documents requested in the application dossier, those who are in a situation where they are prohibited from submitting a tender, and those who have provided inaccurate information.

However, ONERA reserves the right to rectify any incomplete application or to request additional information on the documents and supporting evidence produced, within an appropriate deadline specified in the request for additional information.

⁴ From this no., ONERA can access the necessary information concerning the (French) applicant on the site <https://annuaire-entreprises.data.gouv.fr> proof of registration, identification of the Directors etc.

⁵ ONERA shall verify the authority to bind the applicant of the individual(s) by accessing the Officers page of this same site.

4 PRESENTATION AND ANALYSIS OF BIDS

4.1 Presentation of the bids

In support of their bid, tenderers must produce at least the documents listed below for each lot :

Item no.	Title	Signature	Formats
O1	Completed draft contract (Attm.2) and its Annexes 1 and 3	x	Word <u>and</u> pdf
O2	<u>Completed</u> breakdown of the total and fixed price (DPGF) Annex 2 to the draft contract mentioned above.	x	Excel <u>and</u> pdf
O3	<u>Completed</u> requirements and conformity matrix (Attm.4) and a technical offer written specifically to meet ONERA's needs including at least <ul style="list-style-type: none"> o a full description of characteristics of all equipments and services; o the technical documentation of the equipments and all the elements necessary to precise its technical offer; o a description of the documentation that will be provided and the materials and the guarantee (the details of the coverage and duration), the evidence that the requirements described in the matrix will be met	x	Excel <u>and</u> pdf
O4	Overall deadline for the execution of the service and detailed planning.		
O5	Original bank details of the company, containing all the information required for the payment of the services;	x	

The tenderer may complete their tender with any other document or additional information deemed useful and relevant.

The documents listed above must be written in French or English.

The period of validity of the tenders is **three months** from the deadline for the submission of the dossiers shown on the first page, or from the date of submission of updated and/or final tenders, for later versions.

The procedures for submitting tenders are specified in Article 5 below.

4.2 Analysis and evaluation of tenders - award

a. Analysis and negotiation procedures

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The variants proposed by the tenderers are analysed in the same way as the basic offers, according to the criteria set out in c. below.

The analysis of the tenders may be carried out over several successive stages.

ONERA reserves the right to negotiate with a shortlist of candidates. Namely, only with the three candidates who submitted the best offers after an initial listing, established according to the selection criteria indicated in c. below, during as many negotiation phases as may be necessary.

This negotiation can be carried out by e-mail via PLACE or during interviews by telephone or videoconference, or at the ONERA centre in Toulouse.

All the details of the tender are negotiable except for the guarantee set out in the draft contract (Attm. 2) and except for the legal and regulatory clauses and the penalty clauses.

Negotiations are conducted in accordance with the principle of equal treatment of candidates.

On completion of the negotiations, a final tender is requested from all the candidates admitted to negotiate. This final bid may not be negotiated any further.

The final bids are scored and listed according to the same criteria (specified in c. below). The contract is awarded to the company submitting the best bid (having obtained the best overall score).

However, as a reminder, ONERA reserves the possibility of awarding the contract on the basis of the initial offers received without negotiation.

b. Reasons for eliminating tenders

The following are automatically eliminated:

- Inappropriate tenders as well as those that remain irregular and/or unacceptable despite possible requests for additional information from ONERA and eventual negotiations;
- Tenders that do not comply with the conditions of presentation set out in Article 4.1 of this document, after ONERA asked for corrections to be made.

c. Objective criteria for evaluating tenders

In order to award the contract to the tenderer who has submitted the most economically and technically advantageous tender, ONERA intends to assess the offers on the following objective criteria with the following weighting:

No.	Title	Weighting
Criterion no. 1	Total amount proposed and its breakdown (DPGF) to comply and be compatible with the TSR constraints	40%
Criterion no. 2	Technical quality assessed on the basis of the technical brief provided and the requirements and conformity matrix,	50%
Criterion no. 3	Overall planning and deadline for this delivery Reminder: The deadline for the delivery of all equipments in ONERA Toulouse center shall not exceed five (5) months from its award notification.	10%

5 CONDITIONS FOR SENDING AND DELIVERING THE COMPLETE FILES (APPLICATIONS AND TENDERS)

As the reception of the bids takes place in a single phase, the candidate must send their application and tender dossier at the same time.

5.1 Submission of files

The tenderer is obliged to submit their complete file (application + tender) by electronic means: the submission of this complete file must be done exclusively on the PLACE platform, <https://www.marches-publics.gouv.fr> on ONERA's buyer profile.

Should any problem arise on PLACE, a support and technical assistance service for the use of this electronic platform is available online:

<https://www.marches-publics.gouv.fr/assistance/?token=55226fb7-d16a-4fb3-9f1a-54ef38822106>

Remarks concerning applications submitted on PLACE:

- 1/ As a number of maintenance operations are carried out on PLACE on Wednesdays between 7 p.m. and 10 p.m., applicants are advised to avoid this period for submitting their application.*
- 2/ Applicants are advised to adequately anticipate the verification of their workstation configuration according to the limitations detailed on the PLACE platform and the submission of their application in order to avoid last minute problems.*
- 3/ The Applicant has the possibility of submitting several successive dossiers if a document has been forgotten or an error needs to be rectified. Each file submitted cancels and replaces the file previously submitted by the Applicant. As a result, only the last file submitted will be opened by ONERA. It must therefore include all the required documents in support of the application and the tender.*

5.2 Backup copy

The tenderer may also send, at the same time, a backup copy, on paper or on a digital medium such as a USB key, CD-ROM, etc. that must include the same files or information as the dossier submitted on PLACE.

The backup copy may be opened by ONERA to replace the electronically transmitted file only in the following cases:

- If ONERA detects a virus in the electronically submitted file;
- If a file was submitted electronically but did not reach ONERA by the deadline;
- If the electronically transmitted file cannot be opened by ONERA.

It must be sent in a **sealed envelope, indicating:**

"NOT TO BE OPENED / TENDER REF: 2025ABAR -TWO POSITIONERS - DEMR ".

COMPANY:

(Indicate the name of the tendering company)

It should be sent by registered mail with acknowledgement of receipt to:

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ONERA TOULOUSE
Service des achats
2 avenue Marc Pégélin
31055 TOULOUSE Cedex 4

In order to be opened, the backup copy must arrive before the submission deadline indicated on the first page.

5.3 Special case: documents relating to security

Not applicable.

6 ELECTRONIC SIGNATURE OF THE DOCUMENTS

ONERA is equipped with electronic signature certificates and therefore encourages the electronic signature of their contracts and framework agreements wherever possible.

Thus, ONERA encourages the tenderer and potentially future contractor of the contract/framework agreement, to equip their company with qualified electronic signature certificates that comply with the eIDAS Regulation (Regulation (EU) no. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market, for the persons with the power to bind the company.

The contractor/framework agreement holder will then be able to use the signature tool available on PLACE to sign the contractual documents in the authorised signature formats XAdES, CAdES, or PAdES.

The signature will be validated by ONERA if all the checks carried out by the PLACE tool are passed and if the signature certificate holder user has the authority to bind the company. For information purposes, the checks carried out by the tool available on PLACE are the following:

1. Identity of the signatory;
2. Whether the signatory's certificate belongs to one of the categories of certificates mentioned in Article 2 of the Order of 22 March 2019 on the electronic signature of public procurement contracts;
3. Compliance with the signature format mentioned in Article 3 of the Order of 22 March 2019;
4. Non-expired and non-revoked nature of the certificate on the date of signature;
5. Integrity of the signed document.