

TENDER SPECIFICATION
ADAPTED PROCEDURE

Case No. 2026-0071

Spray-coating system for thin film deposition on electrodes

DEADLINE FOR SUBMISSION OF BIDS

13/07/26 – 16:00

By responding to this tender, the Tenderer declares that he has read and agrees to the entire content of this document

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1 . OVERVIEW OF IFP ENERGIES NOUVELLES

1 . 1 . IFP Energies nouvelles

IFP Energies nouvelles (IFPEN) is a major player in research and training in the fields of energy, transportation and the environment. From research to industry, its core activity is technological innovation centred on three strategic priorities: sustainable mobility, new energy sources and responsible oil and gas.

As part of the mission of general interest awarded by the Government, IFPEN focuses on:

- providing solutions to social challenges in energy and climate by fostering the transition to sustainable mobility and the emergence of a more diverse energy mix;
- the creation of wealth and employment by supporting French and European economic activity and the competitiveness of associated industrial sectors.

An integral part of IFPEN, IFP School —the company's school of engineering—, prepares future generations for such challenges.

1 . 2 . IFP Energies nouvelles procurement charter

The procurement charter in place at IFP Energies nouvelles defines the rules for the procurement of goods and services applicable to IFP Energies nouvelles and its vendors, especially those in regular contact with IFP Energies nouvelles and working on our sites. The charter seeks to maintain an environmental, social and economic interest that is both balanced and sustainable and to highlight IFP Energies nouvelles' commitment to society.

Vendor compliance

IFP Energies nouvelles respects the principles of freedom of access to public procurement, equal treatment of tenderers and transparency in procedure.

Confidentiality

IFP Energies nouvelles and its vendors are mutually committed to the confidentiality of their technical and commercial exchanges.

Partnership, creativity and capacity for innovation

IFP Energies nouvelles favours proactive, innovative companies for collaboration on technical matters in a climate of trust. IFP Energies nouvelles expects its vendors to systematically optimize their performance in economic terms. They must share their expertise with IFP Energies nouvelles and offer alternative solutions to reduce overall cost, while maintaining quality of service.

Sustainable development

IFP Energies nouvelles applies its procurement policies based on sustainable development and a major concern for both worker protection and environmental conservation. IFP Energies nouvelles is demanding with regard to its partners' human resources and health and safety policies and looks to work with companies committed to the principles of social and environmental responsibility.

2 . REGULATORY FRAMEWORK

IFP Energies nouvelles has the status of contracting authority as defined in the Public Procurement Code.

This tender is organized, following an **adapted procedure**, as defined in Articles L.2123-1 and R.2123-1 and following of the Public Procurement Code.

3 . PURPOSE OF THE CONSULTATION

3 . 1 . Purpose of the Consultation

The object of this tender is:award of a contract for supplies and services for the acquisition, installation, commissioning and training of a spray-coating system for the deposition of thin films on electrodes – Internal revision of the document.

IFP Energies Nouvelles opens a tender to receive bids from qualified professionals with the professional, technical and financial capacity for the execution and perfect completion of the contract and, more generally, to provide advice and expertise for such purpose.

3 . 2 . Provisional start and duration of the contract

The contract is expected to start from 30/07/2026
Requested delivery date : 30/10/2026.

3 . 3 . Form of market price(s)

The following applies:

- A lump sum price.

3 . 4 . Tranches/Possible additionnel services

TRANCHES:

The contract includes no tranches.

POSSIBLE ADDITIONAL SERVICES (PAS):

PAS are to be selected by IFPEN at the time of award of the contract.

- **Mandatory PAS:** a response is required and will be evaluated.
- **Optional PAS:** a response is desirable but not mandatory and will not be evaluated.

The contract includes: one mandatory PAS: Proposal of a maintenance contract

The contract includes: one optional PAS: Display Camera

3 . 1 . Alternatives

The tenderer may submit one or more alternative(s).

In the case of an authorized alternative:

This will be the subject of a separate proposal.

However, the submission of an alternative is possible only if the tenderer has submitted the basic bid for this tender.

Alternatives are proposed in the same way as the basic proposal and submitted with the reference given to the alternative by the tenderer and in such a way as to make it clear that they are "alternatives". For each alternative, the tenderer must submit all the elements necessary for them to be fully understood. Each alternative solution will be put forward in a separate technical and commercial bid.

3 . 1 . Subcontracting

The tenderer may subcontract the performance of part of this contract provided that he has obtained from the contracting authority the acceptance of each subcontractor and the approval of the corresponding payment terms.

If the subcontracting request is made at the time of submission of the bid, the economic operator shall provide a schedule to the pledge of commitment or contract to indicate the subcontractor, duly completed, dated and signed by the subcontractor and himself, using the "DC4" form provided in the DCE or available at the following address:

<https://www.economie.gouv.fr/daj/formulaires-declaration-du-candidat>

If the public contract is to be awarded to the economic operator, the subcontractor(s) shall submit the documents referred to in Clause 8 of these tender specifications.

Notification of the contract shall imply acceptance by the subcontractor and approval of the payment terms.

The contractor remains personally responsible for the performance of all contractual obligations in accordance with Article L.2193-3 of the Public Procurement Code.

If the subcontracting request is executed, the economic operator shall provide the contracting authority with the above documents and **shall address them to the IFPEN Procurement Department**.

4 . CONSTITUENT DOCUMENTS OF THE CONSULTATION FILE

The consultation file consists of the following documents:

- These tender specifications:
- The Specifications, ref. IFP Energies nouvelles n° 2026-0071 the corresponding schedules:
 - Appendix 1: "Booklet Deviations from the Golden Rules";
 - Appendix 2: "Security Memo for External Companies Lyon
 - Appendix 3: "Computer questionnaire"
- The aggregate and lump sum price breakdown (DPGF)
- The completed pledge of commitment ref 2026-0461 supplemented by the Special Terms and General Conditions of Purchase, version of February 6, 2024,

Tenderers may download the tender enquiry in the tender free of charge at the following address:

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

5 . GENERAL ORGANIZATION OF THE TENDER

5 . 1 . Specialist knowledge

The tenderer declares that he is aware of all the particularities of the subject of this tender and all the documents provided by IFPEN listed in paragraph 4 above and, by replying to this tender, he expresses his agreement with the terms thereof.

5 . 2 . Request for further information from tenderers

The economic operators do not have to make any changes to the specifications, the contract or any schedules.

They may ask one or more questions via the PLACE platform (www.marches-publics.gouv.fr) **no later than ten (10) days before the date for submission of bids**. The contracting authority may reply six (6) days before said date.

The contracting authority reserves the right to make detailed changes to the tender enquiry (DCE). These will be communicated to the economic operators no later than six (6) days before the deadline for submission of bids given on the cover page of this document.

If this period is insufficient to allow the economic operators to become aware of the changes and to adapt their bids accordingly, the final date for the submission of bids for all economic operators shall be postponed to an appropriate later date.

The economic operators must respond based on the changed dossier and may not oppose it.

The economic operators shall be informed that the contracting authority will use its buyer profile (PLACE www.marches-publics.gouv.fr) to communicate with them in writing: sending answers to questions,

information on possible changes to the DCE, possible requests for complements to the tenders, etc.

E-mails may therefore be sent to economic operators from the e-mail address nepasrepondre@marches-publics.gouv.fr (e-mails sent by IFPEN from PLACE).

It is the tenderer's responsibility to anticipate and deal with any technical difficulties. The tenderer should note that upload times may vary depending, among others, on the size of the uploaded files and the tenderer's Internet connection speed.

The economic operators are therefore invited to ensure that their email accounts are configured to enable receipt of this type of message and to check, if necessary, that said e-mails are not placed in their "unwanted" or "spam" folder.

No verbal requests will be answered.

5 . 3 . Points of contact

Points of contact:

Catherine MATHE	catherine.math@ifpen.fr
In case of unavailability, the contact person will be: Nathalie CORDIER	nathalie.cordier@ifpen.fr

5 . 4 . Procedures for submitting bids

In accordance with Article R.2132-7 of the Code of Public Procurement, IFPEN requires the documents to be provided by electronic means at the following address:

<https://www.marches-publics.gouv.fr/?page=entreprise.AccueilEntreprise>

To take part in the tender, the tenderer must send:

- A file titled "**TENDER**" containing the tender documents indicated in paragraph 7.1 below; and
- A file entitled "**BID**" containing three (3) separate components, entitled: **TECHNICAL COMPONENT** and **COMMERCIAL COMPONENT** and **ADMINISTRATIVE COMPONENT**. The files must be organized in accordance with paragraph 7.3 below.

The accepted electronic formats for uploading the documents are: doc, xls, pdf.

If these provisions are not observed, the bids will be rejected.

Each upload will be given a specific date of receipt and an electronic acknowledgment of receipt.

The reference time zone will be (GMT+01:00) Paris, Brussels, Copenhagen, Madrid.

The files may be doubled by a backup copy sent within the deadlines in either physical electronic or paper format. The copy must be sent in a sealed envelope with the words "backup copy", the tenderer's name and the identification of the corresponding procedure written on it.

For the winning tenderer's bid, each file for which a signature is required must be individually and electronically signed in XAdES, CAdES or PAdES format.

Any document containing a computer virus will be filed in a secure manner and deemed not received. The tenderer concerned will be informed. Therefore, tenderers are advised to scan their documents with an anti-virus program before they are sent.

Tenderers are hereby informed that the award of the contract will require the signing of the contract in paper format by hand.

5 . 5 . Conduct of the negotiation phase

It is recalled that this negotiation phase is optional, and IFPEN reserves the right to award the contract based on the initial offers without negotiation, in accordance with the provisions of Article R.2123-5 of the French Public Procurement Code.

If it decides to initiate a negotiation phase, IFPEN reserves the right to limit access to this negotiation to the 3 top-ranked bidder following the analysis of the initial offers based on the criteria outlined in paragraph 9.2 below, with the other bidders being eliminated.

In the event that IFPEN wishes to conduct negotiations, the negotiations will be conducted by IFPEN with each bidder selected for the negotiation phase based on the initial offer they submitted.

The negotiation will be conducted in compliance with the principle of equal treatment of all bidders selected for the negotiation phase. To this end, IFPEN will refrain from providing any information that could give some bidders an advantage over others.

The negotiation methods will be specified by the buyer (in person or remotely).

The exchanges, which will be conducted exclusively in French, will cover all aspects of the contract (technical, economic, and legal). The negotiations cannot lead to substantial modifications to the characteristics or conditions of contract execution as defined in the tender documents. In particular, the final offer must provide comprehensive coverage of the technical scope specified in the specifications. Negotiations may notably address the organizational methods proposed by the bidder for executing the service and financial aspects.

At the end of each negotiation, the bidder is requested to confirm or adjust their offer based on the progress of the negotiations.

When IFPEN intends to conclude the negotiations, it informs the remaining bidders and sets a common deadline in writing (via email) for the submission of any new or revised offers.

Note: IFP Energies nouvelles reserves the right to progressively reduce the number of bidders throughout the various negotiation phases, based on the offer evaluation criteria referred to in Article 9.2 below, applied to intermediate offers.

NB: IFP Energies nouvelles reserves the right to reduce, as the various negotiations progress, the number of candidates in the light of the tender evaluation criteria referred to in Article 9.2 below applied to intermediate offers.

6 . FORM AND VALIDITY PERIOD OF THE BIDS

6 . 1 . Form

Bids must be drawn up in French in accordance with Law 94-665 of August 4, 1994, on the use of the French language and the circular on its implementation dated March 19, 1996.

With all bids submitted in a language other than French, tenderers must include a translation into French.

6 . 2 . Validity period

The bids shall remain valid for ninety (90) days from the closing date for receipt of bids.

7 . CONTENTS OF TENDERS AND BIDS

7 . 1 . Tender documents

The economic operators shall provide the tender documents by choosing between one of the two methods for submitting tenders given below:

7.1.1 - Procedures for the submission of tenders No. 1

Provision of information and documents pursuant to section R2143-3 and following of the abovementioned code:

In support of his tender, the economic operator must provide the following elements:

1) A **letter of tender** and appointment of the representative by his contractors completed by an authorized person (latest version of the DC 1 form downloadable at the following address: <https://www.economie.gouv.fr/daj/formulaires-declaration-du-candidat>, or identical content on ordinary paper);

(2) The document(s) certifying the **powers of the persons authorized to sign binding documents on behalf of the economic operator**: KBIS or company articles and a power of attorney if the signatory does not appear;

4. A completed economic operator's declaration (latest version of the DC 2 form downloadable at the following address: <http://www.economie.gouv.fr/daj/formulaires-declaration-candidat>, or identical content on free paper), containing the following information or accompanied by the following documents:

Economic and financial capacity:

- Declaration concerning the tenderer's overall turnover and, where applicable, the turnover of the area of activity covered by the public contract for a maximum of the last three financial years available, depending on the date on which the undertaking was set up or the economic operator started operations, in so far as information on said turnover figures is available;
- Relevant bank statements or, where appropriate, proof of applicable professional risk insurance policies;

Technical and professional capacity:

- A list of the main deliveries made or services provided during the last three years or, indicating the amount, the date and public or private consignee. Where appropriate, in order to ensure an

adequate level of competition, the buyer may indicate that evidence relating to relevant products or services supplied more than three years ago will be considered. Deliveries and services will be proved by certificates from clients or, failing that, by a declaration by the economic operator.

- description of the technical equipment and measures used by the tenderer to assure quality and his company's resources in study and research.
- Indication of the supply chain management and monitoring systems the tenderer may use for the public contract.
- Indication of the environmental management measures the tenderer may use for the public contract.

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If the economic operator takes part as a consortium, each of its members must submit a declaration from the tenderer (DC2 form or equivalent as described above) and the corresponding schedules (elements requested by the contracting authority to establish that the economic operator is able to provide the services covered by the framework agreement). The contracting authority's assessment of the consortium's professional, technical and financial capacity shall be comprehensive. It is not required for each member of the consortium to have all the technical skills required for the framework agreement.

The tenderer may also request that account be taken of the professional, technical and financial capacities of other economic operators. In this case, he shall complete box G of the DC2 and produce the abovementioned documents concerning said economic operator(s). In addition, in order to justify having such capacity for the framework agreement, the economic operator shall provide a written commitment from the economic operator in question.

7.1.2 - Procedures for the submission of tenders No. 2

Provide a European Single Procurement Document (ESPD) pursuant to Article R2143-4 of the abovementioned Code:

Pursuant to Article R2143-4 of the Public Procurement Code, the contracting authority authorizes tenderers who so wish to provide the European Single Procurement Document (ESPD) instead of the documents requested in Article 5.3.1.a of these tender specifications.

This document must be completed in its entirety because the contracting authority does not allow tenderers to indicate only that they have the necessary ability and capacity to perform the services covered by the contract. Proof of such ability and capacity must be provided.

In the case of a single tenderer using the capabilities of one or more other entities, both the tenderer's ESPD and a separate ESPD containing the relevant information for each entity used must be provided.

In the case of a consortium of economic operators, a separate ESPD shall be provided indicating the information required under Parts II to V for each "participant" economic operator.

The submission of an ESPD in electronic format is accepted. The ESPD must be written entirely in French.

7 . 2 . Admissibility of the tender

The application is deemed admissible if:

- it is submitted within the deadline;
- it includes all the duly completed elements listed in paragraph 7.1 of this Tender Specifications;
- the bidder is not subject to a prohibition on bidding under Articles L.2141-1 to L.2141-5 and Articles L.2141-7 to L.2141-11 of the French Public Procurement Code;
- the application meets the minimum capacity levels required as indicated in paragraph 7.1.

7.2.1.1 Commercial Component

- The completed price schedule **must be** in Excel format,
- Any documents that make up the commercial bid,
- indication of potential subcontractors and types of services subcontracted (DC4); services will be subcontracted under the conditions given in Articles L.2193-1 to L.2193-9 and R.2193-3 to R.2193-22 of the Code of Public Procurement.

7.2.1.1 Technical Component

- Technical Brief;
- The planning or calendar

Important: the bidder must imperatively communicate, no later than the submission of their initial offer, any comments, requests for modifications, and/or reservations regarding the IFPEN draft contract in a Word version attached to the consultation file. These must be made directly and visibly in the said draft contract, using "track changes" mode. The bidder may not raise, in any subsequent offers, any points that were not raised in their initial offer, in order to ensure equal treatment of all bidders.

7.2.1.2 Administrative aspect

- The pledge of commitment ref. IFP Energies nouvelles n°2026-0461,
- The declaration of subcontracting, if applicable (form DC4).

All documents constituting, accompanying, or cited in support of the tender or bid must be written in French or accompanied by a translation in French.

NB: No legal provision will be included in the tenderer's commercial or technical bids; in particular, by replying to this contract, the tenderer will waive any right to apply his own general conditions.

8 . ANALYSIS OF BIDS AND AWARD OF THE CONTRACT

8 . 1 . Stage 1: Determination of the admissibility of bids

Before judging the bids, the contracting authority shall verify that the bids submitted before the closing date and time for receipt of documents are not irregular, unacceptable or inappropriate as defined in Articles L2152-1 to L2152-4.

Bids found to be irregular may be regularized provided that they are not abnormally low, that such regularization does not change their substantive characteristics and that it is carried out under the following conditions of regularity.

IFP Energies nouvelles may contact the tenderers for more information about the contents of their bids.

In order to be regular, bids must contain the set of documents listed in Clause 7.3 'Bid documents' duly completed.

8 . 2 . Stage 2: Award of the contract

8 . 2 . 1 . Conditions for award of the contract

The award will be made to the most economically advantageous bid, valued according to the criteria set out below.

List of criteria for the selection of bids and assigned weightings:

- ❖ Criterion 1: Price – weighted at 30%
 - Sub-criterion n°1 – weighted at 70%: Overall price and fixed price over 5 years with maintenance,
 - Sub-criterion n°2 – weighted at 30%: Contractual modality,
- ❖ Criterion n°2 Environment – weighted at 15%
 - Sub-criterion n°1 – weighted at 30%: Energy consumed by the equipment,
 - Sub-criterion n°2 – weighted at 70%: System scalability,
- ❖ Criterion 2: Technical merit – weighted at 55%
 - Sub-criterion n°1 – weighted at 40%: Reproducibility of the deposit, repositioning and duration of deposit,
 - Sub-criterion n°3 – weighted at 30%: Responsiveness of maintenance and proposal of services,
 - Sub-criterion n°4 – weighted at 20%: Ease and quality of cleaning (ergonomics of the equipment),
 - Sub-criterion n°2 – weighted at 10%: Ergonomics of the Software,

In the context of the analysis of the bids, **the contracting authority may ask tenderers to specify or supplement the content of their bids**. Such request shall not alter the substantial elements of the bid.

In the event of a tie between two tenderers for first place in the final ranking, the tenderer who will be ranked first will be the one who is best rated on the most heavily weighted analysis criterion.

8 . 2 . 2 . Documents to be submitted by the successful tenderer

The documents listed in this Clause that have not been supplied by the tenderer during the tender phase shall be requested if he is to be awarded the public contract. They must be submitted before the deadline set by the Administration.

Pursuant to Articles R2143-7 to R2143-9 of the Public Procurement Code, if the provisionally selected tenderer does not produce the certificates and reports before the given deadline, his bid will be rejected and the same request will be made to the next tenderer in the ranking of bids.

The documents to be submitted by the tenderer(s) selected under this Clause shall be:

1 - DOCUMENTS REQUIRED UNDER THE LABOUR CODE

(1) A certificate of receipt of social declarations issued by the body for the collection of social payments and contributions, dated less than six months old (Article D8222-5-1°-a of the Labour Code);

(2) A declaration on honour, signed and dated by a person with the power to hire the successful tenderer (name and capacity of signatory), concerning the filing of all the compulsory tax declarations with the tax administration on the date of the declaration (Article D8222-5-1°-b of the Labour Code);

(3) one of the following documents if registration with the Companies Registry (RCS) or the Trade Registry (RM) is mandatory or if the profession is regulated:

(i) an extract from the entry in the RCS (K or K bis) issued by the Registry of the Commercial Court and dated less than 3 months old or;

(ii) an identification card as proof of registration with the RM; or

(iii) a quotation, publicity document or business correspondence containing the name or business name, full address and registration number with the Companies Registry or Trade Registry or inclusion on a list or chart of a trade association, or the reference of the approval issued by the competent authority; or

(iv) a receipt for the filing of a declaration at an enterprise formalities centre (for natural or legal persons in the process of registration).

If he is not required to register with the RCS or the RM and is unable to produce a K or K-bis statement or an identification card as proof of his registration with the RM, the individual tenderer or the member of the consortium must produce the receipt of the declaration filed with an enterprise formalities centre (Article D 8222 -5-1°-b of the Labour Code).

The individual tenderer or member of the consortium established or domiciled abroad must submit the documents referred to in box G2 of the NOTI 1 form available at the following address:

<http://www.economie.gouv.fr/daj/formulaires-notification>

If the successful tenderer is a consortium of economic operators, the abovementioned documents must be submitted for each member of the consortium.

2 - TAX AND SOCIAL SECURITY CERTIFICATES:

For economic operators established in France:

Reports and certificates issued by the competent authorities and bodies proving that tax and social security obligations have been fulfilled

- 1) File 3666 issued by the tax services and attesting to the filing of the declarations and payments concerning income tax or corporation tax and value-added tax.
- 2) The social security certificates issued by the entities concerned and required of the tenderer according to his situation.

The list of competent administrations and bodies, together with the list of taxes and social contributions for which reports or certificates are to be provided are contained in the order of 25 May 2016 adopted for the application of Article R2143-7 of the Public Procurement Code of 1 April 2019 (NOR: ECOM0200993A)

The tax and social security certificates shall be those drawn up for the year in which the call for tenders is sent for publication and shall reflect the situation as at 31 December of the preceding year.

Sole proprietors and limited liability companies created after 31 December of the previous year must provide tax and social security certificates, a receipt of registration with an enterprise formalities centre or a KBIS statement.

Partnerships and corporations created after December 31 of the previous year must provide Parts 1 and 4 of file 3666 in as many copies as there are partners or persons liable for income or corporate tax; instead of other certificates, they must produce a receipt of registration with an enterprise formalities centre or KBIS statement.

For tenderers established or domiciled in a foreign state

In order to fulfil the obligation to produce the reports and certificates issued by the competent authorities and bodies proving that he has fulfilled his tax and social obligations, the successful tenderer established or domiciled in a State other than France must produce a certificate drawn up by the authorities and bodies of his country of origin.

Where such a certificate is not issued by the country in question, it may be replaced by a sworn statement, or in States where such a statement does not exist, by a solemn declaration made by the person concerned before the competent judicial or administrative authority, a notary or a qualified professional body of the country.

All documents and reports to be submitted by the successful tenderer must be in French. If not, they must be accompanied by a translation into French certified as being in conformity with the original by an official translator.

Said certificates and reports are then to be provided by the contractor every six (6) months until the end of the public contract.

If the successful tenderer is a consortium, the request of the contracting authority shall be addressed to the authorized representative, who shall submit the documents required for all the members of the consortium before the deadline given in this Clause.

Only the notification of the contract or agreement to the successful tenderer shall give rise to the reciprocal contractual obligations between said party and IFPEN.

9 . SPECIAL PROVISIONS

9 . 1 . Consortium

Tenderers may submit their bid as consortia with joint and several liability or as consortia with joint liability.

Tenderers may not submit several bids for the contract by simultaneously doing so:

- As individual tenderers and members of one or more consortia;
- As members of several consortia.

9 . 2 . Obligation of confidentiality

Confidentiality of the tender enquiry

Tenderers agree to process information and/or documents of any kind and on any medium relating to IFP Energies nouvelles or its Group as strictly confidential. Without the prior written consent of IFP Energies nouvelles, tenderers agree not to disclose or allow others to disclose to third parties, whether for consideration or free of charge and in any form whatsoever, any of the above-mentioned information disclosed to him by IFP Energies nouvelles or coming to his knowledge in connection with this tender or during on-site meetings.

The above obligation of confidentiality also applies to the existence and content of the Tender Enquiry. Therefore, no communication for commercial or advertising purposes may be made by tenderers without the prior written consent of IFP Energies nouvelles.

These provisions will enter into force on the date of dispatch of the tender enquiry and remain in force for a period of ten (10) years from that date.

Information that is public when this document is sent or which becomes public at a later date will not be considered confidential.

Should IFP Energies nouvelles decide to have the tenderers sign a nondisclosure agreement specific to this tender, the provisions of this Clause will be considered null and void.

Confidentiality of tenderers' bids

No part of the tenderers' bids will be communicated to other tenderers during the tender without their prior agreement. Tenderers will be given the opportunity to specify any items of their bid that are particularly confidential.

9 . 3 . Tenderers' commitment

Any participation in the tender will require the tenderers and their potential subcontractors to accept the provisions of these tender specifications in full.

9 . 4 . Return and/or destruction of tender documents

The tenderer undertakes to return to IFP Energies nouvelles or destroy all the tender enquiry documents in the following cases:

- the tenderer decides not to reply to the tender;
- the tenderer is not selected by IFP Energies nouvelles following the tender;
- in all cases where the tender does not lead to the signing of the contract.

All the documents will be destroyed or returned to IFP Energies nouvelles for the attention of the person in the Purchasing Department responsible for the enquiry without delay.

9 . 5 . Compensation

Tenderers whose tenders or bids have not been accepted will not be entitled to compensation of any kind whatsoever.

9 . 6 . Limits

IFP Energies nouvelles may reject any bid and reserves the right not to proceed with this tender. In this case, IFP Energies nouvelles will inform all tenderers in writing, where the latter will not be entitled to compensation of any kind whatsoever.

9 . 7 . Disputes

This contract will be governed by French law, which will apply only in case of dispute.

In the event of dispute, the Administrative Court of Cergy-Pontoise will hold exclusive jurisdiction:
Tribunal Administratif de Cergy-Pontoise (Administrative Court of Cergy-Pontoise)
2-4, Boulevard de l'Hautil BP 30322 - 95027 Cergy-Pontoise