

**France-Paris La Défense: Legal services**  
**OJ S 150/2018 07/08/2018**  
**Contract notice – utilities**  
**Services**

**Legal Basis:**

Directive 2014/25/EU

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**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: INELFE — INterconexión ELéctrica Francia-España

Postal address: RTE — Tour Initiale — 1 terrasse Bellini

Town: Paris La Défense

NUTS code: FRZ Extra-Regio NUTS 1

Postal code: 92119

Country: France

Contact person: Axelle Grimonet

E-mail: [axelle.grimonet@rte-france.com](mailto:axelle.grimonet@rte-france.com)

Telephone: +33 179248112

**Internet address(es):**

Main address: <https://www.inelfe.eu/en>

Address of the buyer profile: <https://rte-france.bravosolution.com/fr/login.html>

**I.3. Communication**

Access to the procurement documents is restricted. Further information can be obtained at:

<https://rte-france.bravosolution.com/fr/login.html>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://rte-france.bravosolution.com/fr/login.html>

[bravosolution.com/fr/login.html](https://rte-france.bravosolution.com/fr/login.html)

Tenders or requests to participate must be submitted to the abovementioned address

**I.6. Main activity**

Electricity

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**Section II: Object**

**II.1. Scope of the procurement**

**II.1.1. Title**

Contract Assistance Services for the Biscay Gulf Electrical Interconnection FR-ES

**II.1.2. Main CPV code**

79100000 Legal services

**II.1.3. Type of contract**

Services

**II.1.4. Short description**

The contract assistant will have to assist INELFE on at least four major Contracts as follow:

- EPC (Engineering, Procurement and Construction) Contract for AC/DC converter stations in Cubnezais (France) and Gatika (Spain),
- EPCI (Engineering, Procurement, Construction and Installation) Contract for underground and submarine HVDC cables,
- IMR contract for the converter stations as above,
- IMR contract for the HVDC cables.

This project, also called “ Biscay Gulf Electrical Interconnection FR-ES ”, is a joint project being developed by INELFE on behalf of Réseau de Transport d'Electricité (RTE) and Red Eléctrica de España (REE) and supported by the European Union's Connecting Europe Facility (CEF).

The contractor will assist INELFE on the project from the groundwork of the contracts until the commissioning of the interconnection (approximately end of 2025)

#### **II.1.5. Estimated total value**

#### **II.1.6. Information about lots**

This contract is divided into lots: no

### **II.2. Description**

#### **II.2.3. Place of performance**

NUTS code: FR France

NUTS code: ES España

Main site or place of performance: — at Contractor office.

#### **II.2.4. Description of the procurement**

The Contractor shall support INELFE for the following activities:

- 1) Groundwork before the launch of minimum 2 tenders including: contract risk analysis, contract review and drafting, contract guideline drafting;
- 2) Contract assistance during tenders including: negotiation support, review and analysis of contract deviations, contract redraft;
- 3) Contracts Management Support.

#### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: Capacity and experience in EPC / EPCI / IMR Contract Execution (including risk analysis and strategy) / Weighting: 5 points

Quality criterion - Name: Capacity and experience on EPC / EPCI / IMR Contract groundwork (Drafting/ reviewing of EPC/EPCI / IMR and other relevant contract) / Weighting: 10 points

Quality criterion - Name: Definition, number and profile diversity and competence of key team member people / Weighting: 10 points

Quality criterion - Name: Competence and experience of the proposed associates (Demonstrate with three (3) most relevant contract undertaken by the Candidate in the last five years) / Weighting: 15 points

Quality criterion - Name: Number of similar projects in which the project team has been involved (as consultants or performing the works) / Weighting: 15 points

Quality criterion - Name: Comprehension of the scope of work and quality and relevance of identified key project specificities and elements (approach and methodology) / Weighting: 15 points

Quality criterion - Name: Knowledge and experience in French law / Spanish law / Weighting: 10 points

Quality criterion - Name: Knowledge and experience in International Law / Weighting: 10 points

Quality criterion - Name: Knowledge and experience in Maritime Law / Weighting: 10 points  
Price - Weighting: 70 %

#### **II.2.6. Estimated value**

#### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 82

This contract is subject to renewal: no

#### **II.2.9. Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 3 Maximum number: 7 Objective criteria for choosing the limited number of candidates:

Global scoring: from 0 to 30 points + Pass/Fail criteria

See Section III for more details

#### **II.2.10. Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: no

#### **II.2.13. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
yes

Identification of the project: Biscay Gulf Electrical Interconnection FR-ES - Connecting Europe Facility programme - Trans-European Energy Networks (TEN)

#### **II.2.14. Additional information**

INELFE reserves the right to award directly the work to most competitive bid without negotiation process.

### **Section III: Legal, economic, financial and technical information**

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#### **III.1. Conditions for participation**

##### **III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

Documentation and certification required have to be provided in English. In case of original documentation in other languages, translation into English, legally certified by national diplomatic authorities or consulates, must be submitted. In order to be considered, the candidates shall submit the following administrative documents:

For all candidates:

1) Pass/Fail criteria: A dated and signed statement under oath certifying that the Candidate is not in one of the case prohibiting it to tender as stated in articles 45 and 48 of Order N° 2015-899 of 23.7. 2015 related public procurement, especially candidate shall be in order with requirements of articles L. 5212-1 to L.5212-11 of the French Labour Code related to employment of disabled workers,

2) Pass/Fail criteria: An application letter stating:

a) the name, address, telephone and fax numbers of the candidate's head office,  
b) the company name, legal form and, if applicable, the registration number in the Commercial Register or the SIREN number of the applicant, otherwise the VAT number. The documents justifying the quality of the signatory to hire the candidate are as follows:

- if the signatory is the legal representative of the economic operator:
  - proof of registration in the register of the profession or the commercial register, clearly showing his identity,
  - or any other document (statutes of the company, etc.) validly justifying the status of legal representative of the signatory's company.
- if the signatory is not the legal representative of the economic operator:
  - the valid proxy, signed by the legal representative attesting the signatory's capacity to represent the economic operator,
  - and the proof of registration in the register of the profession or the commercial register clearly showing the identity of the legal representative,
  - If the candidate is under an insolvency procedure, all court orders and notifications.

### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

Documentation and certification required have to be provided in English. In case of original documentation in other languages, translation into English, legally certified by national diplomatic authorities or consulates, must be submitted. In order to be considered, the candidates shall provide the following information:

- Scoring criteria (from 0 to 5 points): The candidate shall provide an organization chart detailing the company organization and the 1 of its group and of its parent company if any,
- Scoring criteria (from 0 to 5 points): The candidate shall detail the organization of its services and where it operates,
- Pass/Fail criteria: The candidate shall provide the balance sheet if the establishment of such balance sheets is mandatory under the law and the income statement of the last three (3) financial years (2017; 2016; 2015), depending on the date of creation or the beginning of activity of the candidate, to the extent that information on these turnover figures is available,
- Pass/Fail criteria: If the candidate is a Joint-Venture, all members shall provide the above information and the Joint-Venture shall also provide an organization chart indicate how it intend to operate for Contract Assistance services.

### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

- Scoring criteria (from 0 to 5 points): Candidates are required to demonstrate that in principle they have at their disposal sufficient manpower (of relevant and appropriate expertise and experience) and other resources necessary to deliver contracts of this nature,
- Scoring criteria (from 0 to 5 points): Candidates are required to demonstrate that they have sufficient recent and relevant experience to deliver contracts of this nature
- Scoring criteria (from 0 to 5 points): Candidates are required to provide details of the three (3) most relevant contracts of this nature undertaken by the Candidate in the last 5 years,
- Scoring criteria (from 0 to 5 points): Candidates can provide any additional accreditations, certifications or specialties that might be relevant to the scope of requirements for this Contract Minimum level(s) of standards possibly required:
- Pass/Fail criteria: Candidates are required to demonstrate that they have a quality management system current and certified as compliant with ISO 9001:2008 or an equivalent internationally recognized standard.

### **III.1.4. Objective rules and criteria for participation**

List and brief description of rules and criteria:

Aside for criteria stated in the III.1.3), the candidate shall create an account on the RTE's epurchasing portal <https://rte-france.bravosolution.com/fr/login.html> in order to be able to participate to the consultation process.

### **III.1.6. Deposits and guarantees required**

INELFE reserves the right to ask for Performance Bonds and ultimate Parent Company Guarantee.

### **III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

Payment of accepted invoice will be made within sixty (60) days after issuance.

### **III.1.8. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

European Economic Group of Interest is admissible

## **Section IV: Procedure**

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### **IV.1. Description**

#### **IV.1.1. Type of procedure**

Negotiated procedure with prior call for competition

#### **IV.1.3. Information about a framework agreement or a dynamic purchasing system**

#### **IV.1.4. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

#### **IV.1.8. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

### **IV.2. Administrative information**

#### **IV.2.2. Time limit for receipt of tenders or requests to participate**

Date: 07/09/2018 Local time: 15:00

#### **IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

#### **IV.2.4. Languages in which tenders or requests to participate may be submitted**

English

#### **IV.2.6. Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 6 (from the date stated for receipt of tender)

## **Section VI: Complementary information**

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### **VI.1. Information about recurrence**

This is a recurrent procurement: no

### **VI.3. Additional information**

### **VI.4. Procedures for review**

#### **VI.4.1. Review body**

Official name: Tribunal de grande instance de Nanterre

Postal address: 179-191, avenue Joliot-Curie

Town: Nanterre Cedex  
Postal code: 92020  
Country: France  
Telephone: +33 140971010  
Fax: +33 147243161

#### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

A claim in a precontractual summary proceeding is possible as stated in articles 5 et seq. of Order N° 2009-515 of 7.5.2009 related to complaint proceedings applicable to public procurement contracts. The appeal must be lodged before the conclusion of the contract.

A claim in a precontractual summary proceeding is possible as stated in articles 11 et seq. of Order N° 2009-515 of 7.5.2009 related to complaint proceedings applicable to public procurement contracts.

The appeal must be lodged at the latest on the thirty first (31) day following the publication of the contract award notice in the Official Journal of the European Union or, for the contracts based on a framework agreement or on a Dynamic purchasing system, following the notification of the contract signature. In the absence of publication of the award notice or in the absence of notification of the contract signature, an application to the competent court may be made until the expiry of a six (6) months period starting at the day after the date of conclusion of the contract in accordance with article 1441-3 of the French Code of Civil Procedure.

#### **VI.4.4. Service from which information about the review procedure may be obtained**

Official name: Tribunal de grande instance de Nanterre  
Postal address: 179-191 avenue Joliot-Curie  
Town: Nanterre Cedex  
Postal code: 92020  
Country: France  
Telephone: +33 140971010  
Fax: +33 147243161

#### **VI.5. Date of dispatch of this notice**

02/08/2018