



TENDER RULES

Design and implementation of an evaluation survey of a collective information and promotional campaign
for European Butter

in

THE UNITED STATES OF AMERICA

2019-2021

BUYER: CNIEL

Contact:

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CNIEL

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PROCUREMENT TYPE: Open Tender

Article 1: Purpose of the Contract

The CNIEL is an association created in the cow's milk sector, in 1974, by the national organizations representing milk production and processing. Acknowledged by the European Union and French law as an interprofessional organization, the CNIEL helps to promote cow's milk and its derivative products (cheese, cream, etc.) in France and abroad.

The evaluation survey of the information and communication program that is the subject of this contract is co-financed by the European Union and the CNIEL.

A co-financing application has been filed with the European Union and the CNIEL has received its agreement in principle. This campaign will be officially launched only after the European Union has fully accepted the application and has given its agreement in writing.

The acceptance of the co-financing application by the European Union evidenced by a written agreement from the European Union is a condition precedent to the signing of a contract with the successful tenderer. Therefore, the contract will be signed only after the written authorization of the European Union has been obtained. Should the European Union refuse, the promotional campaign will not be implemented and no contract will be entered into by the CNIEL.

The actions will be executed in the United States of America and in France.

Article 2: Contract Term

The period of the contract is 3 years. The contract is not renewable.

The contract, which is entered into subject to written co-financing authorization being obtained from the European Union, will take effect on the first day of the month following the signature date of the contract to be concluded between the CNIEL and the Member State.

Article 3: Composition of the Tender File

The tender file includes the following documents:

- the notice of the competitive public tender,
- these tender rules,
- the brief (tender specifications).

Article 4: Division into Lots

The contract is not divided into lots.

Article 5: Deadline for Receipt of Applications and Bids (or Tenders)

The deadline for receipt of applications and bids is January 14, 2018 by 10 am.

Any files that are received by the purchaser after the date and time stipulated above, as well as those that do not comply with the formal requirements listed in Article 11, will not be accepted.

Article 6: Period of Validity of Bids

Bids will be valid for 90 days as from the deadline for submitting bids.

Article 7: Presentation of Applications and Bids

Applicants must submit the presentation file for their application, which shall include, in the following order:

- Forms DC1 and DC2, duly completed, dated and signed, or the European Single Procurement Document (ESPD) – *or the equivalent document for service providers from outside the European Union*;
- the extract of profit/loss account for the last three years and, as applicable, the revenue for the business segment that corresponds to the purpose of the contract, over the last three financial years for which information is available;
- A list of similar services provided during the last three years. The applicant shall state the amount, the date and the name of the public sector or private sector client, in compliance with any confidentiality requirements.
- In the event of an application by a grouping, the applicant shall specify the form of the grouping, (whether the members are jointly liable or jointly and severally liable), designate the grouping's lead company and the authorization that empowers the lead company to make valid commitments on behalf of the grouping.
- Proof of insurance for professional risks ;
- A declaration stating the applicant's average annual headcount and the proportion of management personnel for each of the last three years;
- A description of the applicant's material and human resources that provide the rationale for its capacity to perform the required services.

The bid must be written in English or in French and contain a technical and financial memorandum made up of a proposal based on the elements described in the specifications.

Article 8: Required Legal Form for the Grouping of Economic Operators that will be awarded the Contract

Groupings of economic operators can submit bids, regardless of their legal form. If the contract is awarded, the economic operators in the grouping must be jointly and severally liable.

Article 9: How to Obtain the Tender File:

The tender file is provided free of charge and can be requested from Isabelle Pinta-Costa by post or electronically:

CNIEL
USA Co-financed Campaigns
Butter Program
Isabelle PINTA-COSTA
42 rue de Chateaudun
75314 Paris Cedex 09

ipintacosta@cniel.com

Article 10: Deadline for amending the Tender File

Six days at the latest before the deadline for the receipt of applications and bids, the CNIEL reserves the right to make minor changes to the tender file.

It will inform all the applicants who requested the tender file of such amendments, under conditions that respect the principle of equality. Said applicants must then bid on the basis of the amended file, without being able to make any claims in this regard.

Article 11: Rules for Submitting Applications and Bids

Applications and tenders shall be submitted by post or electronically.

11.1 Submissions in Printed Form

Applications and bids shall be sent in a sealed envelope to the following address:

**CNIEL
DEPARTEMENT COMMUNICATION – Butter Program
42, RUE DE CHATEAUDUN
75314 PARIS CEDEX 09**

With the mandatory indication of the purpose of the consultation:

« **CNIEL - Open tender - EVALUATION of the campaign for butter in the USA** »
« **DO NOT OPEN** »

Bids must be sent by any method that makes it possible to know for certain the date and the time of receipt (e.g. registered letter with return receipt, courier, etc.), to the address stated above; they must be sent in a timely manner so that they reach the place to which the bids must be delivered before the closing date and time stipulated in these tender rules.

11.2 Electronic transmission

Applications and bids shall be sent to the following address: ipintacosta@cniel.com

It is recommended that bidders avoid submitting their application and their bid at the “last minute” and that they first carry out a test to ensure that they are completely familiar with how the electronic submission process works.

Bidders should note the following additional information:

- ✓ The compatible formats that the contracting authority can read are: .zip, .xls, .doc and .pdf. Applicants are requested:
 - not to use certain formats, such as .exe files
 - not to use certain tools, in particular macros
 - to ensure that the bid file is not too large
- ✓ If the application is sent electronically, it must be signed by the applicant using an electronic certificate, which, in particular, ensures that the applicant can be identified.
- ✓ The recognised categories of signature certificates are those that are recognised by the inter-sectoral security benchmark and by the list published at the following address: <http://www.entreprises.minefi.gouv.fr/certificats/>.

- ✓ An acknowledgement receipt will be sent for applications that are submitted electronically, which states the date and time of receipt.
- ✓ In the event of an electronic submission, bidders may, if they so wish, submit a printed application as a backup. In this case, the backup copy must be sent as per the conditions stated in paragraph 12.1 above and the outside envelope must imperatively be labelled in French "*copie de sauvegarde – ne pas ouvrir*" ["backup copy - do not open"]. Applicants must send this backup copy before the deadline for the submission of applications and bids mentioned in Article 5 of these tender rules.
- ✓ For grouped applications, the lead company shall be responsible for the security and authenticity of the information provided on behalf of the members of the grouping.

Article 12: Review of Applications

Application files will be reviewed by the Evaluation Committee in light of the administrative documents required.

Applicants will be eliminated if their economic and financial capacity and their technical and professional capacities are insufficient in light of the documents provided.

Applications for which the documents requested are absent or incomplete will not be accepted.

The purchaser may ask applicants to complete or explain the supporting documents or means of proof that are provided or obtained.

Article 13: Review of Bids

Tenders must comply with the requirements set out in the Brief and Specific Conditions and in particular in the Rules of Tender. Offers will be eliminated that are deemed unacceptable, inappropriate or irregular.

The buyer reserves the right to ask candidates to clarify their proposal.

The remaining tenders will be classified and the most economically advantageous tender will be chosen according to the following criteria:

13.1 Bid Selection Criteria

1. « Understanding of the brief »: weighted criterion - /10
2. « Relevance of the proposed survey plan »: weighted criterion - /25
3. « Sample strength »: weighted criterion - /20
4. « Strength of treatments and analyzes »: weighted criterion - /25
5. « Value for money »: weighted criterion - /20

13.2. Total Mark

The total mark for each applicant will be the sum of the marks obtained for each of the criteria.

The bid that obtains the highest mark will be ranked first. The bid that obtains the lowest mark will be ranked last. The applicant whose bid was ranked first will therefore be awarded the contract.

Article 14: Documents to be Provided by the Preferred Bidder

The applicant to which it is planned to award the contract must also provide:

- an official record of criminal convictions; if the preferred bidder is located abroad, that bidder must provide the relevant record or, in the last resort, an equivalent document issued by the relevant judicial or administrative authority of its country of origin or establishment, attesting that the bidder is not excluded from tender procedures;
- the documents provided for in Articles D. 8222-5 or D. 8222-7 and D. 8222-8 or D. 8254-2 to D. 8254-5 of the French Labour Code, which must be provided every six months until the end of the performance of the contract;
- the attestations and certificates issued by the relevant administrations and organisations which prove that the bidder has complied with its tax and social security obligations. If the preferred bidder is established abroad, the bidder must provide a certificate issued by the administrations and bodies of its country of origin or establishment.
- form ATTRI1 (contract agreement form) dated and signed by the person who is empowered to make binding commitments on behalf of the bidder (for groupings, the contract agreement form must be a single document) that the CNIEL will duly complete and send.
 - ⇒ In the event of the use of sub-contracting that is declared when the bid is submitted, the applicant must provide the CNIEL with a declaration that states:
 - The nature of the services that are sub-contracted;
 - The name of the person, the commercial name or the corporate name and the address of the proposed sub-contractor;
 - The maximum amount of the monies to be paid to the sub-contractor;
 - The payment conditions provided for in the draft sub-contracting agreement and, as applicable, any price variation terms;
 - As applicable, the sub-contractor's capacities on which the applicant has based its choice.

The applicant shall also provide the CNIEL with a declaration by the sub-contractor which states that the sub-contractor is not subject to a prohibition on bidding.

The notification of the contract to one of the bidders shall entail acceptance of the sub-contractor and approval of the payment conditions.

The preferred bidder shall provide these documents to the purchaser within the deadline that will be notified to it. **If these documents are not provided within the stipulated time limit, the selected applicant's bid will be rejected and the applicant eliminated. The following applicant in the ranking of the bids will then be asked to provide these documents before the contract is awarded to it.**

Article 15: Additional information

In order to obtain all the additional administrative or technical information that they need, applicants must make a request, ten days before the deadline stipulated for the receipt of the bids, either by email to the following address: [address email], or by letter to:

CNIEL
USA Co-financed Campaigns
Butter Program
Isabelle PINTA-COSTA
42 rue de Chateaudun
75314 Paris Cedex 09

ipintacosta@cniel.com

An answer will then be sent to all the applicants under the same conditions, at the latest six calendar days before the deadline set for the receipt of the bids.