

**CONTRACTING AUTHORITY  
ANFA FOR  
ECVET TEAM CONSORTIUM  
ECVET TEAM SECRETARIAT  
41- 49, rue de la Garenne  
92313 SEVRES Cedex**

**STUDY:**

**Analysis of the European practices in accumulation,  
recognition and transfer of learning outcomes**

**Ref.: AO/ECVET/STUDY/01/11-20/12/2011**

***INVITATION TO TENDER***

**CONSULTATION RULES AND THE SELECTION  
OF CANDIDATES TENDERING FOR THE GENERAL STUDY TENDER LOT**

**Association Nationale pour la Formation Automobile**

41-49, rue de la Garenne – 92313 Sèvres Cedex  
Tél. : 01 41 14 16 18 - Fax : 01 41 14 16 00 – [www.anfa-auto.fr](http://www.anfa-auto.fr)  
Association régie par la loi 1901 - N° SIREN : 784 671 497- N° SIRET 784 671 497 000 47

**CONTRACTING AUTHORITY AND PROJECT MANAGERS (LIST):**

° **Adjudicating authority: ANFA for ECVET TEAM Consortium under the European Commission's ECVET secretariat**

**References: Contract 2009 - 5133:001 - 001 LE3 - ECVET**

**In partnership with:**

**Preamble:**

The purpose of these *Rules* is to inform *candidates* of the organisation, procedure, conditions and rules for obtaining tender documentation, submitting tenders and the selection of undertakings for the award of the contract. It supplements *the notice of open call for tenders* published for the purpose of consultation by undertakings and the tender specifications.

The applicable law is French law and the applicable rules are those governing European invitations to tender.

**ARTICLE 1: PURPOSE**

**§ 1. - Type of invitation to tender procedure**

**Study / Date of sending of notice of publication (see *publication*).**

**§ 2. - Nature of the work**

The purpose of the contract is to carry out a study on existing regulation, procedures and mechanisms for accumulation, recognition and transfer of learning outcomes in different education and training systems in Europe, in the framework of ECVET implementation processes.

Total estimated duration of the work: **9 months from the award and signing of the contract.**

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### § 3. Price

The total cost of the Study is estimated at €30,000 net of tax.

The currency unit is the euro. Invoices will be paid within a maximum 60 days.

"Price" is defined in accordance with the specifications.

### § 4. - Mode of assessment and candidate "profiles"

The assessment of candidates shall take place without any restrictions other than those specified in the consultation rules and those defined by the selection criteria relating to the contract.

Candidates who have been involved in the organisation and development of the programme and members of their families, either descendants, ascendants or collateral relatives, business associates or persons having common professional interests and members of the Jury may not, either directly or indirectly, be involved in submitting tenders.

The members of the *Jury* and the *Tenders Committee* may not in any circumstances be involved in any tasks or works entrusted to the successful bidder.

### § 5. – Time limit for completion of works and provisional dates for commencement and completion

Selection of the successful bidder during the first four months of 2012, works to be commenced at the latest by March 2012 with completion at the end of 2012.

### ARTICLE 2: COMMITTEES

The *Committees* created for the contract are not public committees. The candidates or their agents or representatives shall not be admitted to their proceedings or permitted representation thereat.

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## Composition of Committees:

### A. – The Tenders Committee

The *Tenders Committee* has already been constituted.

#### ▪ Composition and authority of the members:

The *President* of the Committee acts under authority, as the *Contracts Manager*, that is to say the duly authorised and designated representative of the *ECVET TEAM Consortium*. This person may, in exceptional circumstances, delegate authority to another person in the public and professional interests of the contracts.

The *Tenders Committee* shall be comprised of persons who have no connection with the bidding candidates, in its administrative functions concerning the procedure for the invitation to tender, the examination and selection of bids, acting in the capacity of a *Jury (infra)*:

#### ▪ With “voting rights”:

- Didier GELIBERT, representative of ANFA, Leader of the Consortium of the ECVET TEAM Secretariat,
- Annick FORTIN, representative of the PARIS Chamber of Commerce and Industry,
- Richard MANIAK., representative of the French Ministry of National Education

These persons may, where necessary, be represented by proxy or appoint proxies. A member of the *Committee* may only hold one proxy on behalf of another person.

#### ▪ With “advisory capacity”:

The controlling authorities or “resources” people or managers of corporate bodies responsible for the building project (“designates”):

- Martine LEVREUX, Study Coordinator
- Sindy BARTOMEUF, Mission Coordinator

Agnès MARTIN-LAUZER, *Invitation to tender Mission Coordinator* (ANFA), is *Secretary to the Tenders Committee*.

The *Tenders Committee* may only function when 2/3 of its members entitled to vote are present, save under a dispensation from these rules authorising it to act as a **selection committee**<sup>1</sup>.

<sup>1</sup> See below *Committee for the Opening of Bids* and *Committee for the Technical Pre-assessment of Candidates' Files*.

Each member of the Tenders Committee may hold only one proxy on behalf of another voting or advisory member of the committee.

The *Tenders Committee* shall be constituted as a *Jury for the examination*, selection and choice of successful bidders for tender lots (hereafter referred to as selection procedure).

**B. – Committee for the Opening of Bids and the Technical Pre-assessment of Candidates' Documentation.**

At the end of the time limit for submission of bids, a meeting of the *Committee for the Opening of Bids* and the Technical Pre-Assessment of Candidates' Documentation shall be convened.

▪ **Committee for the Opening of Bids (C.O.B.):**

This committee shall have the task, in addition to examining the admissibility and eligibility of bids (below), to draw up a pre-report within a maximum of 10 days from the date of opening of the bids (below).

This report shall, at the latest, be finalised in time for the final selection of candidatures by the Tenders Committee..

**The Committee for the Opening of Bids** shall be comprised of **ECVET TEAM managers representing the three members of the consortium, or their representatives holding a proxy.**

This composition of the *Committee for the Opening of Bids* does not require the specific presence and participation of all or some of the other members of the *Tenders Committee* within their fields of competence under these rules. The *C.O.B.* is a basic, restricted and specialist function of the Tenders Committee.

▪ **Committee for the Technical Pre-assessment of Candidates' Documentation:**

**The Committee for the Technical Pre-assessment of Candidates' Documentation** will be comprised of

- the *contract manager* or a representative holding a proxy (three representatives of the consortium).
- the *project coordinator* of the expert resource.
- the administrative and legal support person of the *Tenders Committee* (to assess the status of candidates).

It will prepare the file on behalf of the Tenders Committee.

### ARTICLE 3: CONSULTATION PROCEDURE

#### ***How to respond to the invitation to tender and to submit a bid***

##### **A. - Documents relating to the contract (*consultation files*)**

There is documentation setting out the status of the works.

##### **1. – Information relating to the tender lots (*how to obtain them*)**

###### **a) Downloadable consultation files are available free of charge:**

- **Format:** on the Internet site <http://www.ecvet-team.eu>

Consultation files in paper format will not be provided by post.

Information documentation will only be provided to legal entities suitably qualified to submit bids, or their duly appointed representatives.

###### **b) Consultation rules and selection of successful undertakings.**

These rules shall be attached to the consultation files and may be communicated by any means.

The documentation provided to each competitor shall include:

- the cover letter,
- the tender specifications,
- the conditions rules and the selection,
- the deed of commitment.

##### **2. – On-site consultation of documentation**

All documentation relating to the invitation to tender may be **consulted**<sup>2</sup> (by appointment) at the following addresses:

- *ECVET TEAM office, ANFA Secretariat, 41- 49, rue de la Garenne, SEVRES, HAUTS DE SEINE, France.*

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<sup>2</sup> And only consulted.

### 3. - Contacts for all enquiries:

Contacts between the contracting authority (ANFA-ECVET Team) and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

#### Before the final date for submission of tenders:

At the request of the tenderer, the ANFA ECVET Team may provide additional information solely for the purpose of clarifying the tender documents. Any request for additional information must be made in writing by e-mail ([concoursexterieurs@anfa-auto.fr](mailto:concoursexterieurs@anfa-auto.fr) or [contact@ecvet-team.eu](mailto:contact@ecvet-team.eu)).

**Requests for additional information/clarification should be received by the date and time as specified in the timetable in point 8 below. No such requests will be processed after that date.**

The contracting authority may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tender.

**Any additional information, including that referred to above, will be published ECVET Team's website. Please ensure that you visit regularly the site for updates up to the closing date for receipt of tenders.**

#### After the final date for submission of tenders:

Tenderers should not contact the contracting authority (i.e. ANFA or ECVET Team) on their own initiative after the final date for submission of tenders.

Tenderers should not amend their offers, e.g. by completing the documents they sent, replacing them with amended ones or sending new documents initially not included in the tender, as this will lead to rejection of the tender. Any such need identified by the Evaluation Committee will be notified to the tenderer concerned at ANFA or ECVET Team's initiative, providing for a reasonable deadline for response (see also the provisions under the heading below).

#### After the opening of tenders:

If clarification is required or if obvious clerical errors in the tender need to be corrected, the contracting authority may contact the tenderer provided the terms of the tender are not modified as a result.

Tenderers should not contact the contracting authority (i.e. ANFA -ECVET Team) on their own initiative after the tenders have been opened.

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If the supporting documents for the assessment of an award criterion are missing, these may not be requested as clarification if this might alter the proposal. Any requests for clarification in that regard should not lead to amendment of the terms of the tender. The tenderers' replies must serve solely the purpose to provide the Evaluation Committee with a clarification regarding the offer in relation to the technical proposal or concerning obvious clerical errors in the financial offer. Neither the technical content of the tender nor the financial offer may be changed.

In case the tenderer alters the total financial offer during a clarification (beyond the correction of any obvious clerical/calculation errors), this offer will be automatically rejected.

## **B- Time limits for submission of tenders**

**INTERESTED CANDIDATES FOR THE LOT DESCRIBED IN THE INVITATION TO TENDER MUST SEND OR DELIVER THEIR BIDS WITHIN A TIME LIMIT COMMENCING ON THE DAY FOLLOWING THE DATE OF PUBLICATION OF THE INVITATION TO TENDER, AND BY 5 PM ON 6 FEBRUARY 2012 AT THE LATEST.**

**BIDS RECEIVED OR DEPOSITED AFTER 5 PM WILL NOT BE ADMITTED.**

Tenders may be submitted exclusively in one of the following ways:

**(a) by post** to be dispatched not later than **the date and time specified in the timetable of the cover letter**, in which case the evidence shall be constituted by the date of dispatch on the postmark or the date of the deposit slip, to the following post address of ANFA ECVET Team:

**ANFA - ECVET TEAM**  
**41- 49, rue de la Garenne - 92313 SEVRES Cedex (France)**

**Important:**

*Tenderers shall inform ANFA ECVET Team by e-mail ([concoursexterieurs@anfa-auto.fr](mailto:concoursexterieurs@anfa-auto.fr) or [contact@ecvet-team.eu](mailto:contact@ecvet-team.eu)) that they have submitted an offer in time, and that they request ANFA ECVET Team to confirm receipt of the e-mail.*

*Do not attach your offer to any of the above information e-mail.*

or

**(b) delivered by hand** not later than **the date and time specified in the timetable of the cover letter**, in which case a receipt must be obtained as proof of submission, signed and dated by the official in the above mentioned Service who took delivery, to the following address :

**ANFA - ECVET TEAM**  
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**C. – Form of bid by candidates - essential papers and documentation**

**1. – Envelope, sent by post or delivered, containing the candidate's documentation correctly addressed**

Any **enterprise** intending to respond to the offer of contract shall:

- **send its bid in a sealed outer envelope (forwarding envelope)** marked with the words "**ECVET Study - not to opened**", by registered post with request for acknowledgment of receipt.

**OR**

- **deliver this envelope personally and obtain a receipt** (*between 10 a.m. and 3 p.m. on working days, Monday to Friday, in this latter case*)

to the following address:

***"ECVET Study - not to be opened",  
for the attention of Mr. Didier GÉLIBERT  
ANFA - ECVET TEAM  
41- 49, rue de la Garenne - 92313 SEVRES Cedex(France)***

Bids may not be delivered "*electronically*".

Envelopes will remain sealed until the date of the meeting of the *Committee for the Opening of Bids*.

**2. - Contents of the forwarding envelope: documents and information required**

On the envelopes containing **the bid (first separate envelope)** and the **administrative documents (second separate envelope)**, please write the words "**ECVET TEAM Study - not to be opened**".

A bid for one or more lots must be sent in the forwarding envelope. This envelope must therefore contain two further, separate envelopes:

**a) ADMINISTRATIVE DOCUMENTATION:**

- **administrative documentation: a single letter of application** indicating the lot for which the candidate (where applicable as the representative of other undertakings) is bidding. The letter of application must be signed by all parties.

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- **For each undertaking: a printed annual schedule of the certificates received;**
- **a registration in the official register of companies - Appendices B and D attached, duly completed – Statutory registration;**
- **certificate(s) of insurance**
- **list of works and contracts carried out or contracts of a comparable nature and size executed previously**
- **documents attesting to occupational and professional qualifications and experience of persons concerned (format EUROPASS, Appendices H CEDEFOP);**
- **the duly initialled deed of commitment (attached) specifying the lots for which the undertaking(s) is (are) bidding ;**
- **latest Balance Sheet and Accounts ;**
- **declaration on honour duly signed and dated by the candidate, certifying compliance with tax and social contribution requirements (certificates), when applicable that it is not subject to a prohibition from bidding and that it has not, during the last five years, been the subject of a judgment registered in *bulletin no. 2 of the casier judiciaire (national criminal records)*;**
- **a copy of the rules for tendering initialled by each of the undertakings taking part in the bid.**

b) **THE BID:** Proposals and prices; schedule or table for the lot with breakdown of the total and/or fixed price; basic offers and their alternatives should be set out; technical proposals in terms of means; material and staff (numbers) resources available; list of the members of the group.  
(See schedule of terms and conditions).

Bids by candidates must be clear, precise and unambiguous.  
Any ambiguous or insufficiently precise bid will be rejected.

#### **D. – Procedure for opening of bids and pre-assessment of candidates' documentation**

The assessment of bids will be done in two preparatory phases prior to final selection carried out by the *Tenders Committee*:

##### **1. - Opening of bids**

At the end of the time limit for the receipt of bids (see above), the members of the *Committee for the Opening of Bids* and the *Technical Pre-assessment of Candidates' Documentation* (fully described above) shall *open the bids on the "date of opening" (9 February 2012)* (the time limit for examination of candidates" documentation for the purpose of the establishment of a *technical pre-report* shall commence from this date).

**The *Committee for the Opening of Bids* shall meet at 41-49; rue de la Garenne, SEVRES (92).**

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The meeting for the opening of bids is for the purpose of counting the number of admissible bids, taking into consideration the administrative documents and those concerning references, competence, materials, means and resources (including human resources).

Only documentation found to be incomplete regarding the document requested will be rejected at the opening and examination of bids. In this event a list of documents missing or incomplete will be made to justify such rejection.

The committee shall also be able to reject bids received outside the time limit and bids that are incomplete or insufficiently compliant with the detailed technical specifications.

Any missing document may result in the elimination of the candidate, unless in the event of a unanimous, substantiated decision of the *Committee for the Opening of Bids* to allow for rectification.

Minutes of the *Committee for the Opening of Bids* shall be drawn up.

The *Committee for the Opening of Bids* shall, on the day of opening of the bids, list, in an appendix to the minutes, duly initialled by all members present or represented, all the prices proposed by the competing bidding enterprises..

The minutes of the *Committee for the Opening of Bids* shall specify the name of the rapporteur of the *Committee* for Technical Pre-Assessment (in charge of the drafting of the technical pre-report) as elected by the members with "voting rights".

## 2. - Analysis of technical documentation

The bids admitted (eligible and valid) shall be examined, within a period not exceeding ten days, by the ***Technical Committee for the Pre-assessment of Candidates' proposal*** at SEVRES, for the purpose of drawing up a pre-report.

The ***Technical Committee for the Pre-evaluation of Candidates' Documentation shall meet as often as necessary at SEVRES (at the same address).***

In view of the different locations of the contracting authority and its partners, teleconferencing may be made available for discussions between the members at the request of one of them, in particular at the end of the time limit for pre-assessment of candidates' documentation when receiving the preliminary opinion of the *Technical Committee* and incorporating it into the assessment report.

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**During this period, no negotiation or contact with any candidate shall take place with regard to any bid, on pain of the procedure being deemed null and void and the members being sanctioned.**

After this period of examination of the bids over several days, a pre-report and pre-classification, listing the bids in order of interest shall be drawn up and finalised by the rapporteur appointed at the time of the opening of the bids.

The principal purpose of the technical pre-report is to provide a provisional draft of the order of merit of bids primarily on their technical merits.

**This shall be work preparatory to examination by the *Tenders Committee* finally meeting as the *Selection Jury*.**

#### **E. - *Tenders Committee* meeting as the *Selection Jury*.**

Plenary meeting for final validation of tenders.

##### **1. - Meeting and method of final selection of undertakings by lot**

The *Tenders Committee* in its plenary composition shall act as *Jury* and shall **meet on 20 February 2012 at 10 a.m. for the final selection of candidates and nomination of the winning bid for the general lot.**

**The *Tenders Committee* acting as “*Jury*” for the final selection shall meet at the head offices of the ANFA- ECVET TEAM, 41- 49 rue de la Garenne, SEVRES (92) (1<sup>st</sup> floor - A.N.F.A.)**

##### **a) Presentation of conclusions of its report by the *Technical Committee***

The *Jury* shall first hear the *Rapporteur* of the *Technical Committee* who shall present the observations and conclusions of the technical pre-report.

##### **b) Final evaluation and selection**

On the basis of the *technical pre-report* and examination of the bids, the *Jury* shall be responsible for drafting a formal proposal for the *provisional winning bid*, working on the basis of a ranking.

This evaluation shall be made with due regard to the conformity of the bids received with the *requirements of the contracts*, the *specifications* and the technical feasibility of the project with reference to *completion times* and estimated costs.

The *Jury* shall establish a final ranking of the bids. This ranking shall be supported by reasons (and duly minuted).

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Each member of the Tenders Committee meeting as the *Jury* may at any time request the re-examination of any tender or supporting document, whatever may be the preliminary conclusions of the *Technical Committee*.

## 2. - Criteria for selection of candidatures:

- (see tender specification)

## 3. - Criteria for award of the contract

The tender most economically advantageous in terms of technical quality and capacity to be able to meet completion deadlines.

These criteria shall be taken into account in equal proportions.

## F. - Award of the contract

Taking account of the reasoned opinion of the Jury, the *Contract Manager* shall formally (after a recall of the reasons for the choice) decide on the winning bid.

It will then send to each bidder the final result and an explanation for the rejection of the bid.

**There shall be a period of least ten days** between the date on which the decision is notified to candidates whose bids are unsuccessful and the date of **signature of the contract by the Contract Manager (= date of final decision)**.

The contract manager shall, as soon as possible, notify candidates of the reasons in the event of the contract not being awarded or formally announced, or the procedure having been recommenced.

Awards of contract shall be formally announced before the commencement of any works.

## ARTICLE 4: GENERAL PROVISIONS

### § 1. – Responsibility for insurance and transport charges

The despatch of all mail and any transport costs incurred shall be the sole responsibility of bidders.

Any person having a legal connection with or a direct personal interest in the choice of a candidate, without having declared this to the *Committees* and having recused himself or herself, shall risk being held liable for the consequences arising from the annulment of the procedure.

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## § 2. – Disputes and jurisdiction

In the event of disputes, the *Tenders Committee* or its representatives shall meet with the complainants or their representatives in order to reach an agreed settlement.

In the event of contentious litigation the appropriate *Tribunal Administratif* (Administrative Court) shall have jurisdiction.

Signed at SEVRES, on 15 December 2011.

ECVET TEAM

For ANFA



Yves TERRAL (Director)

Association Nationale pour la Formation Automobile

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