Candidates for IRSN’s Public calls for competition (businesses, non-profit organizations, etc.), get ready!

On 1 October 2018
we are going digital for all of our procurement procedures
equal to €25,000 excl. VAT or more!

Compulsory from 1 October:

For all public procurements equal to €25,000 net of VAT, or more, you will now have to:

- **Electronically submit:**
  - Your application and your tender: submission is binding so there’s no need to sign your tender unless there is a special request that requires verification in the documents concerning the consultation.
  - Any questions and information requests

- **Electronically receive:**
  - The notification of the contract, as well as information and decisions from buyers (Information on refusal, awarding of the contract, etc.)

- **Electronically sign the contract, if IRSN requests that you do so in the documents concerning the consultation**

You can start getting ready for the change straight away:

- You can already start familiarising yourself with PLACE, the Government’s online procurement platform used by IRSN: https://www.marches-publics.gouv.fr/?page=entreprise.AccueilEntreprise. You can submit mock tenders on buyer profiles to make sure that the computer you are using is configured properly

- Start looking into a certificate for electronic signature to install on your computer

- Gradually replace DC1/DC2 application forms with the digital version of the European Single Procurement Document (ESPD)

You can find more information on the website of the French Department of Legal Affairs (DAJ):

www.economie.gouv.fr/daj/dematerialisation

https://www.economie.gouv.fr/daj/commande-publique
Often referred to as a “buyer profile”, an online purchasing platform is a website where you can find and download documents concerning the consultation, submit your tender, and contact the buyer. IRSN uses the French government’s online procurement platform “PLACE” (https://www.marches-publics.gouv.fr/?page=entreprise.AccueilEntreprise) for its consultations and calls for competition. Company consultation dossiers can be accessed online, with some exceptions.

Get ready!
- On a buyer profile, you can test your computer’s configuration and submit mock tenders in a secure environment (sandbox).
- **Don’t miss the deadline** for submitting tenders and applications! All tenders received after the date and time stipulated in the publication of the notice of a call for competition or documents concerning the consultation will be rejected. Don’t wait until the last minute! Get your application ready the day before and leave enough time for your tender to be received by the deadline. Allow plenty of time for uploading documents, especially if you are uploading large files and have a slow internet connection. If you are having any issues, the buyer profile will have telephone support as a minimum.
- You will receive confirmation of your bidding once your upload to the buyer profile is complete.
- After 1 October 2018, you will still be able to hand deliver or post a hard copy or digital backup of your tender to the buyer, but it must be received before the consultation closes. The documents in the backup copy are subject to the same rules as those sent by other means: they must be signed if a signature is required.
- The backup copy will only be used to replace the digital tender in the following circumstances:
  - The digital tender contains a virus
  - The digital tender is submitted late, if the buyer has tangible evidence that they began uploading the tender before the deadline, and that the backup copy was submitted within the deadline
  - The buyer was unable to open the tender

Any paper tenders submitted when a digital tender is required will be void.

IRSN may be unable to use online procurement for certain special cases, i.g due to matters of secrecy, as provided in the French decree 2016-360 of 25 March 2016. These details will be stipulated in the documents concerning the consultation.
What’s in it?
It constitutes your company’s promise that it possesses the legal, technical, and financial capacities to submit a tender.

What format?
The digital version of the European Single Procurement Document (ESPD), containing structured information, has been available since April 2018. Other forms, such as DC1/DC2 from the DAJ, or the MPS system, can still be used, although they will gradually be replaced by the ESPD.

What are the benefits of applying with the ESPD?
With the ESPD, you can:
- Declare on your honour that you are able to apply for a public procurement contract
- Confirm that you are not banned from submitting tenders
- State that you meet the buyer’s selection criteria

Already submitted a tender for an earlier contract with the same buyer?
From 1 October 2018, for formal contracts with a value equal to or greater than the threshold for European contracts, and if you have already submitted a tender for an earlier IRSN contract, then you no longer need to attach any supporting documents you have already submitted to the buyer, as long as they remain valid. You just have to state the IRSN reference of the procedure you submitted the documents for.

Electronic signature

Which documents need to be signed?
- In principle, as with paper tenders, a signature is required to conclude the final contract (signature of final offer). The company consultation rules for each consultation will state which documents require a signature.

Who has to sign?
- If you are an individual applicant, then it will be the authorized signatory who can make commitments on behalf of the company
- If you are part of a temporary consortium (co-contractors): either every member of the consortium, or the individual authorized to represent the consortium through an express mandate, which should be attached to the tender

How do you sign?
- Electronic signatures frequently take the form of a “USB key” upon which is stored the certificate for electronic signature. The USB key shall be handed exclusively to the owner of the certificate by a qualified service provider who will check the signatory’s identity
- Electronic signatures aren’t necessarily visible in or on the document (sometimes a watermark can be seen). A document that has been signed by hand and then scanned does not constitute an electronically signed document.
How to choose the right certificate for electronic signature?

- If you don’t yet have a certificate, you need to obtain at least an “advanced electronic signature” based on a “qualified certificate for electronic signature” in line with eIDAS regulations (REGULATION (EU) No 910/2014). You can buy your certificate from trusted digital service providers: [https://www.ssi.gouv.fr/entreprise/visa-de-securite/visas-de-securite-le-catalogue/](https://www.ssi.gouv.fr/entreprise/visa-de-securite/visas-de-securite-le-catalogue/)

- In the meantime, if you have an RGS certificate, you can use it while you are waiting to receive your eIDAS certificate (see decree of 12 April 2018 on electronic signatures in public procurement)

Check to see if your company already has certificates that can be used with public contracts: certificates are often valid for different purposes: (e.g. VAT return, etc.)

Director of Financial,
Commercial, and Legal Affairs