



# REGULATIONS

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## FOREWORD

The Seine Paris/Rouen/Le Havre axis is an area of exceptional importance at European level. It offers Paris access to the sea and to the world and governs its status as one of the great 21st century metropolises. From Greater Paris to Le Havre, the Seine traces a line of undeniable wealth, there for us all to rediscover and reclaim for our common good.

In the cities along the Seine Axis, as is the case for all the world's major cities, citizens are reclaiming ownership of the river and reinventing uses for it. The river is becoming more than a route from A to B, it is a place for living, economic activity, new modes of transport, urban logistics, urban walks, leisure and residence; while maintaining its role as a biological corridor.

This strategic area has exceptional development potential, based both on its port connections and its industrial base which is undergoing a complete renewal, and on the wealth of its natural, built, cultural and historic heritage.

One of its great assets is that it is a key industrial basin. The structure of its port (maritime and river ports) and logistical activities is therefore a major issue, as is the preservation and enhancement of its heritage.

The importance of the river in the construction of this territory, as revealed by the works of Antoine Grumbach, must be revealed by large scale proposals along the axis.

By drawing on the intelligence and creativity of multidisciplinary teams, the "Reinvent the Seine" call for proposals is creating a framework for this ambition to be realised.

A collection of partners representing the three metropolitan areas of Paris, Rouen and Le Havre, as well as the State and its public port authorities, are working together and setting the challenge to teams from all over the world to make around forty of these sites into showcases for these new ways of life and new forms of activities, on the boundary between land and water.

On, next to and above the water, avant-garde projects will emerge, all embodying different possibilities for living in a different way with the river.

## **PART A – THE OBJECTIVES OF THE CALL FOR PROPOSALS**

### **A.1 – Context and objectives of the Reinvent the Seine call for proposals**

The Reinvent the Seine call for proposals falls within a national and international context of changing relationships with rivers. For several years, the cities of the Seine Axis have had a clear political ambition of reclaiming their river banks and developing their uses.

These cities have established closer relations through institutional initiatives such as the creation of Greater Paris Metropolitan Area, the consolidation of the Rouen Metropolitan Area and the Urban Community of Le Havre, and the creation of the Haropa EIG uniting the ports of the three cities: the Autonomous Port of Paris, the Grand Maritime Port of Rouen and the Grand Maritime Port of le Havre. The acceleration of this initiative has led the local authorities and stakeholders in the zone to join forces in a flexible but ambitious partnership to develop projects involving the City of Paris, the Rouen-Normandy Metropolitan Area, the Urban Community of Le Havre, Haropa, the Inter-Ministerial Delegation for the Seine Valley, the City of Rouen, the City of Le Havre, the Urban Community of Seine Eure, the Est Ensemble, Plaine Commune, Grand-Orly Val-de-Bièvre and Seine-Amont local authorities, and the Departmental Council of Seine-Saint-Denis.

The 2030 Strategic Blueprint for Planning and Development of the Seine Valley and the State-Region Interregional Planning Contract for the Seine Valley (CPIER) for 2015-2020 define both the long-term focuses for the Seine Axis and how they will be brought about on an operational level.

In line with these efforts, the Reinvent the Seine call for proposals strives to give genuine operational momentum to this joint development model, starting today. In support or even in anticipation of the public investments that are being made, it aims to give shape to this vast area structured by the Seine.

The objective of the Reinvent the Seine call for proposals is to provide all those who recognise the importance of the Seine and the canals in the construction of a broader metropolitan area with the possibility of developing meaningful projects that contribute to quality of life as well as economic and environmental performance.

The aim is to allow everyone, private stakeholders (companies, associations, collectives, artists and schools, etc.) and institutions, to take part in the construction of a territory which is coherent and influential while using the Seine and its canals as drivers for development. On an unprecedented scale, Reinvent the Seine aims to encourage competition as a source of innovation in relation to the river and the river's contribution to the region. The reclamation of the river must be nourished by diverse cultures and skills, both local and foreign, in order to promote new purposes and uses in synergy with the water, whether next to, on or spanning the river and its canals.

The Seine has always played a pivotal role in the area and yet it has not always been respected. Feared at times because of its devastating flooding, at times over-exploited at the expense of its natural balance, it is also very highly prized. The Seine is the cradle of the area, at once a source of nourishment, a major transport route and a driver of urban, economic, and industrial development, as well as boasting world-renowned natural and architectural heritage. Conflicts of use have arisen, as well as a sometimes excessive functional compartmentalisation, which has kept the public at a distance from the water, failing to achieve optimal use of the riches generated by the presence of the river and its canals, and the potential it provides for the construction of the city. The search for a greater mix of use and for the introduction to the city of river-related activities has been at the heart of urban port development projects for several years, based on a policy of consultation with local authorities and residents.

The Reinvent the Seine call for proposals intends to support this development model by establishing new relationships with the water. On identified sites, extending from Paris to Le Havre, the goal is to put conflict behind us and reconcile different uses. The challenge is to take a fresh look at the Seine and its canals as a sort of urban and regional bond and not as principally utilitarian spaces from which people are excluded and turn away.

The river and its canals must be restored to their place at the heart of the city's construction. They represent an evident link between opposite banks but also between upstream and downstream areas.

The uses and contributions of the Seine and its canals to the region are multiple. Without being exhaustive, this involves the following areas in particular which all have a potential for innovation worth exploring:

- Inventing new uses for connecting citizens to the river: spending time, working, having fun and exercising on and by the river
- Opening the ports to the city;
- Expanding the economic, industrial and logistical activities of the river to make them more successful and varied;
- Connecting the different areas of the Seine Axis better through multi-site projects and new modes of transport for people and goods;
- Boosting the attractiveness of the river via new types of commerce (floating markets, pop-up shops...) and cultural, artistic and sporting events;
- Inventing new types of building adapted to the river's particularities and dangers: floating structures and structures on stilts...;
- Preserving and highlighting the ecological and landscape-related roles of the river;
- Revealing the heritage-related and architectural dimensions of these areas;
- Capitalising on the natural resources in a virtuous cycle (energy potential, recycling, etc.);
- Promoting short distribution channels and the circular economy.

## **A.2 – Purpose of the Reinvent the Seine call for proposals**

The purpose of the Reinvent the Seine call for proposals is to select proposals which can be implemented in the short term on sites by or near the River Seine and its canals whose land is managed by the public partners in the call for proposals.<sup>1</sup> In the remainder of this document, the term “public partner” in the singular refers to a public entity associated with this call for proposals that has control of the land of one or several sites concerned by the said call for proposals and, in the plural, to the public entities as a whole responsible for this call for proposals.

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<sup>1</sup> The public partners are: the City of Paris, the Rouen-Normandy Metropolitan Area, the Urban Community of Le Havre, the Autonomous Port of Paris, the Grand Maritime Port of Rouen and the Grand Maritime Port of Le Havre, the City of Rouen, in association with the Seine Maritime Chamber of Trades and Crafts for one of the sites, the City of Le Havre, the Urban Community of Seine-Eure, the Département of Seine-Saint-Denis, Plaine commune, Est ensemble, Public Territorial Establishment 12, Voies Navigables de France and the RATP.

The implementation of these proposals will lead to transfers of rights to the successful bidders in the call for proposals in accordance with terms and conditions yet to be defined.

In the remainder of the present document, the term “transfer of rights” refers to the contract which will be agreed between the public partner who owns the site and the authorised agent of the successful project team in the call for proposals with a view to the implementation of their proposal. Depending on the legal situation of the property, its publicly owned status and current occupancy, the successful proposal and the public partner, these transfers will take diverse forms (agreements, farm-out, lease, sale, etc.). The legal frameworks will be adjusted for each site and proposal. If it proves useful for the implementation of the proposal, several legal frameworks could possibly be selected for the same site.

Depending on the site, the legal frameworks must satisfy the specific requirements and rules of the public partner as specified in the documents made available to project leaders. The procedures for transfer will be either:

- left to the discretion of project leaders who will make a related legal and financial proposal;
- defined *a priori*, and in this case, specified in the site sheet. Likewise, depending on the public partner who owns the property, the procedures for transfer may meet specific pricing rules and terms.

The “Reinvent the Seine” proposals do not meet a specific need of the public partners but are left to the initiative of the project leaders and meet their own requirements. Consequently, this call for proposals does not fall within the public procurement field. Public partners have no wish for a part of the property to be reassigned to them, to take over its management either in full or in part or to provide specific funding for the proposal. However, should the transfer of rights take the form of an occupancy title, the works, constructions and installations of a real estate nature which may be created by the project leader may, where applicable, be subject to a free transfer of property to the public partner when the occupancy title reaches its term.

The sites proposed in connection with this call for proposals have been selected by public partners with regard to their potential to accommodate activities and innovative uses in synergy with the water. The sites extend over the entire area of the Seine Axis, offer a wide range of situations, and are based in extremely varied urban and natural settings some of which are experiencing major change. These are the specific conditions which project leaders will have to identify and analyse in order to select the main assets and put forward proposals which are most suitable for the multiplicity and scalability of regional circumstances.

This diversity is deliberately sought by partners in order to demonstrate that a relationship with the River Seine and the water can be created at any point in the area and in any circumstance, even if it takes different forms, which must necessarily be scalable and perhaps sometimes transient.

The call for proposals includes forty or so sites spread throughout the area concerned. On account of their period of availability, some sites will only be offered to project leaders during a second round of the call for proposals.

This concerns sites on the water or by the water: lakes with or without the possibility of mooring, vacant buildings and sites and engineering works such as bridges, footbridges, bridge abutments and tunnels.

A technical information sheet for each site will concisely present the site, its legal and regulatory status and, for some sites, the main programme and expected use.

### A.3 – Call for proposal proceedings

The “Reinvent the Seine” call for proposals will take place in two main phases: the call for expressions of interest and the final bid.

Sites will be made available in two successive rounds.

The provisional schedule is subject to change depending on the public partner managing the site. The schedule will be updated gradually by the different partners over the course of the initiative, via the website [reinventerlaseine.com](http://reinventerlaseine.com).

The provisional schedule is as follows:

- | <b><u>Round 1:</u></b>  | <b><u>Round 2:</u></b>  |
|---|---|
| - 17 May 2016: operational launch of the call for proposals for the sites included in the first round | - October 2016: operational launch of the call for proposals for the sites included in the second round |
| - May to September 2016: preparation of the expression of interest;                                   | - Late 2016 - Early 2017: preparation of the expression of interest;                                    |
| - Early autumn 2016: submission of the expression of interest by project leaders;                     | - Spring 2017: submission of the expression of interest by project leaders;                             |
| - Autumn 2016: expression of interest selection committee;  | - Summer 2017: expression of interest selection committee;  |
| - Late 2016 – beginning of 2017: preparation of final bid by shortlisted project leaders;             | - Summer to early autumn 2017: preparation of final bid by shortlisted project leaders;                 |
| - First quarter of 2017: submission of final bids;  | - Autumn 2017: submission of final bid;   |
| - Spring 2017: final jury   | - Late 2017: final jury   |

### A.4 – Eligible Proposals

The projects which will be created through “Reinvent the Seine” are intended to contribute something new to the relationship with the Seine and its canals. They must possess an identity, a "Reinvent the Seine" brand.

In this respect, these projects should stand out from more traditional projects in form and content which have goals and interests other than those targeted by this call for proposals.

Accordingly, the eligibility guidelines below set out the distinguishing features that the "Reinvent the Seine" proposals must strive to respect and promote. These distinguishing, ground-breaking features represent the selection criteria for the projects considered in the "Reinvent the Seine" call for proposals.

#### **A.4.1 – Eligibility in view of proposal contents**

The sites proposed are very diverse, and therefore call for proposals which are extremely varied in terms of use, activities and forms.

Despite this diversity, four common denominators must be present in all proposals:

- Innovation in the relationship with the Seine, the canals and, more broadly with water. Each of the proposals must develop a specific and innovative relationship with water, including:
  - new uses which fully incorporate the aquatic aspect. For example, incorporating the water, the relationship with water, and interface with the water in ways of living, working, producing, learning, relaxing, trading and getting around, etc.;
  - physical developments that form new connections with the water without harming maritime or river transport. Reclaiming and creating new properties locally, on and above the water through bridges, occupied or not, creating new activity venues and reclaiming the river by deploying all the uses and roles related to urban living and quality of life;
  - taking account of natural dangers and flooding in particular is also a major issue of “Reinvent the Seine”. Addressing the risk by promoting new forms of adaptable development, new building techniques, new structures and developments (floating structures, amphibian structures, structures on stilts and submersible developments, etc.) in compliance with the stipulations of the PPRI (Flood Risk Prevention Plan) is one of the challenges of the call for proposals;
  - the contribution of the proposal to the construction of the identity of the Seine Axis area, with regard to its economic, logistical, environmental and cultural impact and influence, etc.
- The multidimensional aspect of the proposals: the difficulties in taking ownership of the river and its canals in the city's construction process often reside in the excessive specialisation and compartmentalisation of functions on the banks of the Seine.
- Reconciling different uses and functions that make good sense on the water's edge is the guiding principal for this call for proposals. All proposals will thus go to great lengths to work on at least two of the dimensions mentioned (non-comprehensively) above in paragraph A.1. For example, a predominantly economic proposal must endeavour to develop another dimension (educational, research, artistic, etc.); a cultural or activity-based proposal must endeavour to develop innovative architectural and technical processes with regard to the floodable nature of the location;
- Public use: the foundation of the “Reinvent the Seine” call for proposals is the idea of reclaiming the river and the canals, increasing the connection with the waterways. Facilitating public access is therefore essential. The challenge is to limit any form of “privatisation” of the locations, barring exceptions, notably related to reasons of safety. Project teams must explain the public’s modes of access to the project, in time and in space. This may be partial and limited in time (in the evenings, at night, etc.) as long as it is regular;
- Environmental and social excellence: the role of the Seine and its canals as a structural eco-corridor of the green and blue belts throughout the area of the Seine Axis must be fully represented in “Reinvent the Seine” proposals. The maintenance or restoration of eco-corridors and the preservation of different environments are obligatory. The objectives in terms of fighting climate change, the preservation of biodiversity and the extension of

greening backed by the different public partners and expressed in the different strategic documents (notably: SRCE (the Regional Scheme of Ecological Coherence, the Biodiversity Action Plan, the Regional Climate and Energy Action Plan, etc.) must be concretely and ambitiously expressed in the proposals.

In terms of social integration, the “Reinvent the Seine” proposals must promote integration via the economic activity of residents and the most vulnerable populations.

#### **A.4.2 – Eligibility for Project Teams**

The composition of the “Reinvent the Seine” project teams must reflect the considerations of the call for proposals. Teams will necessarily be multi-faceted and multi-disciplinary. They will include the site operators and users as early as possible in order to give shape to the proposal and tailor it to their needs.

“Reinvent the Seine” is required to create original partnerships which are able to put forward unusual and attractive proposals. Therefore, from the start of the project, the project’s two compulsory dimensions, as set out in article A.4.1, must be represented within the project team. “Project team” shall be taken to mean all the members of the group whatever its legal form, which submits an expression of interest in connection with the Reinvent the Seine call for proposals.

The designers, contractors, specialist design offices and generally speaking service providers working for a project team must specify the legal framework within which they are operating as part of the project team.

At the expression of interest phase, the project team shall appoint an agent who will represent the team as a whole and be in charge of communicating with the public partner of the call for proposals. The term “authorised agent” refers to the legal entity which will represent the members of the project team as a whole and coordinate it. The authorised agent will be the public partner’s preferred point of contact and shall receive information communicated by the public partner in addition to that published on the website <http://www.reinventerlaseine.fr/>. As a signatory of the transfer contract, they will commit the project team financially and legally.

As the assessment of the proposal’s value and viability is influenced by the composition of the project team, any change in its composition during the call for proposals must be justified.

The team may be enlarged in round 2 (final bid) in order to address new dimensions or to look at the elements of the proposal in greater depth.

In round 2, investors and financial backers must work together. They must justify the financial feasibility and viability of the proposal and provide proof of their commitment throughout the implementation and life of the project.

For the same project team, it is possible for the same authorised agent or member of a team to apply for several sites under the following conditions:

- the proposal is multi-site: this concerns proposals being developed on several sites, which may also not belong to the same public partner. A multi-site proposal represents one single application. The multi-site nature of the proposal must be justified;
- the project team puts forward the same proposals for different sites. This concerns different applications and the team must submit a different application for each site. However, considering the specific nature of each site in the call for proposals and the importance that the nature and specific features of the site on the one hand are well matched with the project being implemented on the other, the project team should justify the choice to propose the

same concept for different sites and demonstrate the opportunity for it in the expression of interest phase;

- the project team puts forward several proposals for different sites. In this case, each proposal a specific application.

Should this call for proposals not be pursued to completion on one or another of the sites, and in any event for the non-selected project teams, no compensation of any nature whatsoever shall be granted to the competing project teams.

## **PART B – EXPRESSION OF INTEREST**

### **B. 1 – Content of the expression of interest file**

The expression of interest file will be composed of three separate and compulsory documents:

- the presentation of the project team and the legal information concerning the authorised agent (document 1), art. B.2.1.1;
- the presentation of the proposal (document 2), art B.2.1.2;
- the prospective legal and financial package (document 3), art. B.2.1.3;

The documents must be written in French or in English and drawn up in euros. Each document must be dated and signed by the authorised agent or by another authorised representative.

#### **B. 1.1 – The project team (document 1 – completed form):**

The composition of the project team is a factor which influences the assessment of the proposal's relevance to the "Reinvent the Seine" call for proposals. It reveals the feasibility and the soundness of the proposal which is the subject of the transfer of rights to be granted by the public partner.

In this context, this first document must clearly identify the role of each member of the team and their contribution to the project.

The project team will be presented in the form made available to project leaders on the website: <http://www.reinventerlaseine.fr/>

The information provided in the form will aim to demonstrate the relevance of the composition of the existing or prospective team and its resources. The form will be composed of three parts.

- **Information on the authorised agent and/or the company leading the project, created or to be created:**

The authorised agent must remain the same throughout the call for proposals process and until the transfer contract is agreed. Public partners may nevertheless agree to a request for a total or partial substitution when:

- the substituted party is controlled by the substituting party within the meaning of articles L. 233-1 and L. 233. 3 of the French Commercial Code or is a leasing company if the lessee is the bidder (or its substitute and controlled by it);
- the substituted party is a team member other than the authorised agent, and the substitution is justified by the implementation of the proposal.

In the event of substitution, the substituted party must produce all the documents and information required from the authorised agent.

- **The other members of the project team:** For each member, details must be given of their roles, their contributions to the project, and the duration and period of their intervention in accordance with the different project phases (design/implementation/operation) and their

method of intervention. The projected modes of working and contracting within the team will be specified (remuneration, acquisition of interest in the future project, etc.).

References and experience acquired in the field(s) targeted by the project will be presented for each member of the project team.

- **Related and supporting documents must be enclosed with the form:**
  - o a letter confirming that the service providers who are members of the project team are operating within a framework agreed to by them (see A.3.2):
  - o a “*K-bis extract*” (company registration certificate) from the company acting as agent or any equivalent document or one which confirms the creation of a project company.

### **B. 1.2 – The “Reinvent the Seine” project**

The description of the proposal (10 x A4 pages maximum without illustration) must be broken down as follows:

- a summarised presentation of the general philosophy of the proposal, of the objectives being pursued and of its relationship with regard to the development of the Seine Axis;
- a description of the proposal’s activities and of its functional and operational programme. The description must specify the different planned activities and uses (type of activities, programming, target public, etc.), and must describe the works and various developments proposed (built, on and off the water, etc.) and the technical and functional modalities of use, etc.;
- the proposal’s contribution with regard to the four common denominators of “Reinvent the Seine” presented in article A.4.1 of these regulations and specified below. For each of the “common denominators” it must be explained how the objectives are being taken into account and in what way the proposal brings added value and represents progress for the Seine Axis area. The aim can be illustrated through the use of international examples:
  - o Innovation in relation to the Seine, the canals and water in general: Project leaders must endeavour to describe the innovative nature of the relationship(s) to the water which will be promoted within the context of the project. These synergies may be functional, physical and visual and draw on the location’s history (etc.). They may vary over time and in the different stages of the project’s life (design, implementation and operation) and possibly in accordance with the seasons, night-time and daytime, the water and its flow rates, in periods of spate, etc. The innovative developments, activities, and methods of construction developed to create these links must in particular be specified;
  - o The multidimensional nature of the proposals: the main functional and programmatic content of the proposal must be presented in relation to the interests and assets of the site and its environment. The relationships and complementarities between the proposal’s different programmatic dimensions and uses must be specified and the resulting organisational, developmental and technical choices must be justified;
  - o Accessibility to the public: the arrangements and conditions for public access must be specified for each part of the proposal and in accordance with the different audiences targeted;

- Environmental and social excellence: the proposal's environmental characteristics and performances must be presented. The project leaders must explain the development scheme, construction and renovation methods, the technologies favoured and methods chosen to optimise the quality, the resilience, and the energetic and environmental efficiency of the proposal and the optimisation of its inclusion in the green and blue belt. The life-cycle of the proposal must be specified in order for its environmental impact to be understood. The way in which flood risks will be managed must also be described. The social performance of the proposal in the different project phases must be demonstrated.
- the role given to civil society and the consultation engaged in or envisaged by the project leader during the design and operation phase must also be presented.
- the provisional schedule for implementation and operation if there is to be a gradual upscaling or commissioning stages.

As an option, 1 x A3 sheet of simple illustrations: sketches, plans, diagrams and tables... to present the physical organisation and the integration of the project in its immediate urban and natural environment. At the expression of interest stage, perspective views are not allowed.

### **B. 1.3- The legal-financial response form:**

The legal-financial response form, duly completed, and its appendices, are an essential component of the expression of interest (downloadable documents for completion are available on the website <http://www.reinventerlaseine.fr/>).

The legal-financial response form presents the intentions of the project leader, at the expression of interest stage. The final undertakings of the project team will be presented as part of the final bid. The final jury will be particularly attentive as to how the intentions of the expression of interest are reflected by undertakings in the final bid.

Any withdrawal resulting in particular from information disclosed between the submission of the expression of interest and the final bid must be duly justified by the project team.

The legal-financial response form for the expression of interest, a template for which will be downloadable on the website <http://www.reinventerlaseine.fr/>, must therefore itemise:

- the type or types of transfer envisaged and their geographic and operational distribution whenever the type of transfer is not imposed;
- the duration of the transfer or transfers in the case of occupancy whenever it is not fixed by the public partner;
- the price (in the event of sale) or the lease fee envisaged whenever the latter is not fixed by the public partner. In this event, applicants will be informed of the pricing structure in the information file;
- the financial framework envisaged;
- the economic model for the proposal.

Appendices may be used to provide any details useful for the understanding of the legal and financial framework and the prospective economic model for the proposal.

## **B.2. – Procedures for the submission of expressions of interest**

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Expressions of interest **must be** submitted in two different forms, in electronic form and in a sealed envelope:

- in electronic form: the bid must be submitted via the procedure provided for this purpose on the tab “submission of expression of interest” on the website <http://www.reinventerlaseine.fr/>
- in a sealed envelope, containing 3 paper copies of the expression of interest and displaying the words:

**Appel à Projets “Reinventer la Seine”**

**Site “*Name and address of site*”**

**Manifestation d’Intérêt – NE PAS OUVRIR**

**For sites involved in the first operational round, launched on 17 May 2016, expressions of interest must be submitted by XXX at xxhxx at the latest.**

For submissions in electronic form, electronic confirmation of receipt shall serve as proof.

Sealed envelopes must be dispatched by registered letter with acknowledgement of receipt or delivered in return for a receipt at the address which will be specified for each site on the website <http://www.reinventerlaseine.fr/>. The postmark or the receipt from the public partner shall serve as proof.

Expressions of interest submitted at a later date will not be selected. The same shall apply to incomplete applications. Documents and their appendices must be in PDF format.

## **B. 3 – Selection of expressions of interest**

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At the end of the period for the submission of expressions of interest, each public partner will carry out a technical analysis of expressions of interest for the sites under their responsibility.

The technical analysis will focus on the selection criteria defined in article D.4.2 below and will inform the proposals made by the selection committee to the public partner of the site concerned. Public partners retain the option of requesting from the project teams any additional information or details necessary for the understanding and analysis of the expression of interest. Responses must be given in the form requested and within the period of time allowed.

The selection committee will be appointed for each site by the managing public partner and/or owner of the site. It will be made up of representatives of the public partner and from the area where the site is based, technical departments from different local authorities or bodies concerned and associated experts.

The selection committee shall propose that the public partner select a maximum of four expressions of interest for each site. The project teams shortlisted by the public partner will be invited to submit a final bid.

After the selection committee meeting, public partners will be free to engage in dialogue with the shortlisted teams in the forms which will be specified later. This will mainly concern informing the teams of the remarks made by the selection committee, pointing out the strengths and weaknesses of the proposals as identified by the technical analysis, identifying the scope for improvement for proposals and then discussing the legal-financial frameworks.

**PART C – FINAL BID**

The project teams whose expressions of interest have been shortlisted by the selection committee will be invited by the public partner to submit a final bid.

**C. 1 – Content of the final bid**

Final bids must be written in French and drawn up in euros. They must be dated and signed and bear the stamp of the authorised agent.

Submission of the final bid will be considered as a joint and several commitment given by the authorised agent for the project team, for a minimum term of one year from the bid submission deadline, for all aspects of the latter, in particular financial and use-related, including any additions added subsequent to the submission of the bid on the request of the public partner.

The final bid must describe and specify the elements of the expression of interest both in form and substance. It must disclose the changes made to the expression of interest, in particular those resulting from any discussions which may have taken place with the public partner.

The final bid must provide evidence of the undertakings made by the authorised agent and members of the project team both as to the form and the content of the proposal and its methods of implementation.

The final bid consists of three separate and compulsory elements:

**C. 1.1 – The project team (document 1):**

The form and its appendices submitted during the expression of interest stage will be updated and where applicable completed.

During the final bid stage letters of undertaking or as a minimum letters of intent from the different partners associated with the proposal must be supplied (operators, managers, financial backers and / or investors, etc.).

The project leaders in the running will be notified of the form and supporting documentation expected after the selection committee meeting.

**C. 1.2 – The “Reinvent the Seine” project (documents 2 and 3)**

The final bid will update and give a detailed description of the proposal (document 2) (15 x A4 pages maximum) submitted as part of the expression of interest.

This document will be accompanied by detailed specifications consisting of a maximum of 30 x A3 pages (document 3) freely composed of texts and illustration sheets. The specifications should specifically include:

- a detailed presentation of the activities and uses described in the proposal, specifying the type of activities, the target audiences, and where applicable the pricing policy, etc.;
- a detailed presentation of the landscaping and architectural aspects (sketched) of the project from an organisational, technical, heritage, economical, and environmental point of view, etc.;

- a memo presenting the principles governing the integration of the project in its urban and / or natural setting;
- a memo with supporting arguments presenting the décor and the construction methods and the materials used (user comfort, durability, environmental performance and value in terms of maintenance, dry process, material reuse, etc.);
- a memo specifying the proposal's compliance with the PPRI (Flood Risk Prevention Plan) in force;
- a memo specifying the proposal's compliance with the PLU (Local Urban Development Plan) if the proposal is subject to permit (building permission, demolition permit, preliminary statement, ...);
- graphics sheets:
  - o a ground plan displaying the spatial and landscaping composition of the project (circulation areas, contact points with neighbouring operations, treatment of outside areas...) and for projects or parts of projects involving construction, the functional units and interior circulation areas, etc.;
  - o main frontages and cross sections;
  - o ground floor plans and plans of important floor levels displaying interior layout and vertical and horizontal circulation areas.

### **C. 1.3- The legal-financial framework (documents 4 to 6):**

Document 4 must present the legal-financial framework. It must be accompanied by the legal-financial response form (document 6) supplied to the project team by the public partners.

The selected legal framework must be presented in a maximum of 3 x A4 pages both for the proposed transfer contract with the public partner of the site and, where applicable, for the legal documents to be signed with the partners of the project team (operators, managers, etc.). For the transfer contract with the authorised agent and the public partner, the nature of the rights to be transferred should be indicated, accompanied by any conditions precedent agreed by the public partner and a provisional schedule.

The contractual arrangements between the authorised agent and the future operators, managers and end users, etc., must be described. Thus, the undertakings made by the authorised agent to the public partner and which will be reflected in these contracts must be specified.

The financial bid (document 5, maximum of 5 x A4 pages) must be made by the project team in accordance with the type of transfer envisaged.

In the event of occupancy:

- in accordance with the pricing structures applied by the public partner and published and made known to the project teams;
- in the absence of these structures, the project leaders shall propose an amount for rents or royalties and their terms of payment.

In the event of sale, the price proposal must include:

- a minimum overall price:

- a break-down of the minimum overall price into a unit price per m<sup>2</sup> per element of the programme or per intended use.

The price shall be given in euros, net selling price, exclusive of duties, VAT and costs. Should there be any doubt, the price indicated shall be in fact considered as the net selling price, exclusive of duties, VAT and costs.

Project leaders are informed that public partners reserve the right not to select a proposal whose financial soundness could be called into question in the absence of necessary and sufficient guarantees.

The final bid must provide detailed information of the proposal's funding and economic model by specifying:

- the cost of the proposal in detail;
- the economic model of the proposal highlighting in a detailed and accurate format the estimated revenue and expenditure supported by a concise market analysis justifying the proposed exit prices and/or terms and conditions of lease;
- the proposal's business plan (preferably in Excel format) which must include the expected time periods and profitability levels, specifying the envisaged funding plan accompanied by letters of interest or undertaking from investors and financial backers testifying as to the financial soundness of the proposal. It will provide evidence in support of the duration of the transfer of rights requested by the project teams in the event of a financial package excluding transfer.

The legal-financial response form (document 6) which will be supplied to the project teams still in the running, completed and compulsorily signed by the authorised agent, will represent a compulsory element of the final bid.

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## **C. 2- Procedures for submission of the final bid**

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The procedures and date for submission of final bids will be specified to the project teams in the running after their shortlisting following the call for expressions of interest.

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## **C. 3 – Naming of the successful bidder**

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The successful bidder for each site will be named by the public partner on the proposal of the final jury.

The final jury will be appointed for each site by the managing public partner and/or owner of the site. It will be made up of representatives of the public partner and of the area where the site is based, technical departments from the different local authorities or bodies concerned and associated experts. The jury will propose a ranking of final bids based on the technical analysis carried out by the public partner and its advisers in the same forms as for the analysis of expressions of interest.

The public partner will officially name the prospective successful bidder in accordance with its rules of governance.

**PART D – ACCESS TO INFORMATION AND SELECTION CRITERIA****D. 1 – Access to information**

For each stage of the call for proposals, the operational launch will officially open the period for expressions of interest. The launch of stage 1 will be marked by the publication of these regulations and technical specifications sheets for the sites proposed in stage 1 on the website <http://www.reinventerlaseine.fr/>.

In stage 2, the operational launch will take place when the technical specifications sheets are published for the stage 2 sites.

**D. 1.1 – The website Reinvent the Seine: reinventerlaseine.fr**

The website dedicated to the call for proposals “Reinvent the Seine” is open and accessible to all: <http://www.reinventerlaseine.fr/>. It features all the information on the public partners involved in the initiative, on sites (round 1 and 2), on the regulations and on the schedule of the call for proposals.

Details about dates or legal or technical matters may be published at any time on the website. For each of these stages in the call for proposals, operational undertakings will be made via the website.

**D. 1.2 – The information file:**

On the operational launch of the call for proposals, a technical specifications sheet for each site will be published on the website <http://www.reinventerlaseine.fr/> accompanied by an information file which will be regularly replenished by the public partner until three calendar weeks before the date for the submission of expressions of interest and the final bid.

The information files will include information relative to the site (photo file, map of location, land, built areas, surface areas, and land-related and regulatory information, PLU, PPRI, etc.) and the main information in the possession of the public partner allowing the project team to analyse technical, environmental, administrative, and fiscal factors useful for drawing up the expression of interest, and then, where applicable, the final bid. For some sites, a special note presenting the provisions and special terms and conditions of the public partner will be brought to the attention of project leaders.

In the final phase, following the meeting of the expressions of interest selection committee, these information files can be completed and for some sites project team finalists will be given personalised, secure access to a data room managed by the notaries of the public partners.

For each site, a mailbox address will allow project teams to ask questions of the public partner concerned.

The public partners will analyse the questions, and where applicable give answers via this mailbox. Public partners will also have the option, in order for applicants to receive equal treatment, of making them more widely available, notably through the website’s FAQ section.

**D. 1.3- Site visits:**

For sites which are non-accessible and built on, visits will be offered by the managing public partner. Depending on the site, virtual visits may be made available to project leaders on the website <http://www.reinventerlaseine.fr/>

## **D. 2 – Criteria for selection of proposals**

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Proposals will be analysed and then selected on the basis of the criteria listed below without weighting or prioritisation. The same analysis criteria will prevail for the two phases (expression of interest and final bid).

The completeness of the bid in accordance with the content itemised in articles B. 1 and C. 1 of these regulations, for the expression of interest and final bid respectively, and the proposal's eligibility in accordance with the provisions of article A.4 are requisite elements for the admissibility of the expression of interest and the final offer.

The analysis criteria for proposals are:

- the innovative nature of the relationship to the Seine, the canals and water in general, which the proposal displays: the relevance of the direct or indirect connection to water will be analysed in accordance with the characteristics of the site and the opportunities offered. The contribution of the proposal to the construction of the identity of the Seine Axis area will be assessed, in particular with regard to its economic, social, cultural, environmental, heritage-related and logistical impact and influence;
- The relevance of the programme presented and the multi-dimensional nature of the proposal: in particular, the programmatic choices and the measures taken to promote an efficient and sustainable combination of uses and public access to the site will be examined;
- the proposal's qualities from a landscaping and architectural point of view and its integration in its immediate environment. Attention will be paid in particular to the porosity of the proposal and the treatment of existing pedestrian and cycle ways;
- the price (in the event of sale) or the proposed lease fee, (in the event of occupancy) whenever this is not fixed by the public partner;
- the realistic nature and credibility of the proposed legal-financial framework;
- the characteristics and environmental performances of the proposal.

**PART E – RESPECTIVE UNDERTAKINGS OF PROJECT PARTNERS AND LEADERS****E.1 – Essential terms and conditions of public partners which are imposed on project leaders**

For each site, the bids presented by project leaders must undertake to comply with the essential terms and conditions below which will be imposed on the successful bidders, in addition to the special terms and conditions defined for each site.

The public partners will accompany these terms and conditions with performance guarantees or penalties adapted to types of proposal and transfer of rights. In addition, should these terms and conditions not be complied with, the public partners reserve the right to exclude the successful bidder from the advantage of another finalist project.

**E.1.1 – Guarantee that the proposal will be implemented:**

For the public partners, the implementation of the innovative proposal presented by the successful bidder is a decisive criterion in their choice to transfer the rights to the site to them.

The implementation provisions for the proposal are:

- compliance with the successful proposal's implementation schedule: this provision relates to the expected guarantee that the proposal will be implemented as presented in the final bid in compliance with the provisional schedule on which the parties agreed:
  - o the submission of applications for administrative authorisations,
  - o the signature of the transfer contract;
  - o beginning of the works;
  - o completion of the works;
- The maintenance over time of the programme and uses described in the proposal;
- An obligation of means and results on the establishment by the proposal of new relationships to the river, its canals and water in general;
- Compliance with the undertakings made in the final bid in terms of environmental quality and social integration.

**E.1.2 – Earn-out clause in the event of an increase in constructability after the transfer:**

If after completion of the authorised works, i) additional floor areas were created and/or ii) the intended use of some floor areas was changed, and within a time period following the submission of the regulatory declaration of completion and compliance of works which will be defined by the public partner in relation to the successful proposal, the floor areas concerned may give rise to a payment to the public partner of an earn-out amount under terms and conditions to be defined.

For the application of this clause, it is stipulated that floor area refers to that applicable since 1<sup>st</sup> March 2012 as defined by the new article L 112-1 of the French Urban Planning Code and the regulatory texts adopted for its application, and in particular the circular of 3 February 2012, and that intended use refers

to the intended uses referred to in the French Urban Planning Code which are definitively authorised by the authorities concerned in connection with the Proposal and the social or private nature of the housing which appears in the Proposal.

## **E.2 – Undertaking to sign the contract for transfer of rights**

Within the context of the submission of their final bid, the project team's authorised agent shall make an undertaking to the public partner to sign the contract for the transfer of rights in relation to the proposal presented by them and in accordance with the terms of their final bid.

The authorised agent must acknowledge that, in the context of this call for proposals, having read and taken note of the information made available to them by the public partner, they were able to analyse, visit the site and carry out their own investigations, assisted by their duly qualified and experienced teams, partners and external advisers, and that they were therefore in a position to assess the legal, fiscal, technical, environmental and administrative situation of the property and of its proposal, and that consequently the transfer will go ahead and take place without any other guarantee than that of its title.

They must also acknowledge and accept that by submitting a bid, they have obtained sufficient information to make this bid without reservations and under the negotiated terms and conditions alone, which may be defined contractually with the public partner.

## **E.3 - Confidentiality undertaking**

It is stipulated that throughout the process the public partners must undertake to ensure that bids submitted by project leaders remain strictly confidential, in particular with regard to the observance of the latter's intellectual property rights which may be linked to the content of their bids.

Mayors or site owners will be able to organise public meetings for the presentation of proposals during the final stage of the call for proposals, in which the applicants will be free to participate or not, the content of the presentation being left to their discretion. Project leaders shall undertake for their part not to communicate information of any kind which they have received from public partners, or obtained in any way whatsoever, written or verbal, and on any type of medium whatsoever, in the context of this call for proposals and in particular during the preparation of the transfer of rights procedure (any information of this type being "confidential information"), with having obtained prior permission in writing from the other party.

Notwithstanding the above stipulations, the project teams may communicate any confidential information:

- to their directors, corporate or other officers and their employees, and to representatives of their advisers, in as far as it is necessary for these persons to have knowledge of this information for the preparation of land and / or property related arrangements (it being agreed that the said directors, corporate or other officers, employees, representatives or advisers must be informed of the confidential nature of the information and must ensure that these persons observe confidentiality).
- to any bank or financial institution from which the said party has obtained funding for their participation in the planned operation, and to any representatives of these advisers for the preparation and drafting of the finance documents.
- in as far as its divulgation is required by a law or regulation.

This confidentiality undertaking must be observed by all companies and entities, controlling or controlled by the project leaders.

**APPENDIX****CONTRIBUTION BY THE CAISSE DES DEPOTS**

The Caisse des Dépôts and its subsidiaries are a public group that serves the public interest and economic development of the country, in support of public policies pursued by the State and local authorities.

The Caisse des Dépôts is thus involved in key sectors of the economy: housing, real estate, the environment, engineering, technology, transport, knowledge-based economy, tourism, and digital sectors. It is able to offer its partners innovative solutions and financing for economic development, social cohesion, and ecological, digital, or energy transition. It may be involved in different ways, for example:

- As a partner, providing engineering skills and advice on complex projects;
- As a lender, financing long term projects: the Caisse des Dépôts is the leader in social housing financing in France, and a long-standing partner of the local public sector;
- As a long term prudent investor in public interest areas otherwise neglected by the private sector, attracting other investors and encouraging the creation of partnerships.

The Caisse des Dépôts proposes its services in the context of the “Reinvent the Seine” call for proposals, to accompany the contractors, on the condition that the proposed investment falls within the Caisse des Dépôts’ priorities (real estate, urban logistics, tourism, etc.). This is in accordance with the agreement signed on 24 March 2016 by the Managing Director and the Inter-Ministerial Delegate for Development of the Seine Valley.

Support via private investment could contribute

- Initially, to funding project engineering, particularly to optimise the economic and financial feasibility of the projects. This possibility will be offered to candidates selected during the expression of interest phase, allowing these pre-selected project leaders to secure their offers;
- Secondly, following final selection by the “Reinvent the Seine” jury, the winner could be assisted in financing and capital investment for the company to be created with the project leaders. In this case, the Caisse des Dépôts will be involved in financing as a prudent investor, and a minority shareholder alongside private partners.

The Caisse des Dépôts’ involvement will be subject to agreement by its approval committees.

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