



NOTICE OF CALL FOR PROJECTS

La Ciotat Shipyards – 16th October 2017

1. Organiser of the call for projects

SPL SEMIDEP Ciotat

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SEMIDEP-Ciotat is in charge of the management and operation of the La Ciotat Harbor on behalf of the Departemental Council of the Bouches du Rhône (France).

2. Purpose of the call for projects

SEMIDEP-Ciotat would like to collect proposals from operators with a view to awarding exclusive occupancy rights for a maximum of 35 years, for the right to privately occupy various locations divided into lots of varying sizes (hereinafter the "Properties") and located on a Platform dedicated to Yachting and served by a 4000T useful capacity shiplift. This Platform (Hereinafter the "Platform"), with an area of approximately 4 hectares, is located on the port public domain. The main equipment serving this platform (including the lift) will remain under the management of SEMIDEP-Ciotat.

3. Properties concerned by the call for projects

The Properties will be built and equipped by SEMIDEP-Ciotat as part of works which are projected to be launched in 2019/2020 and to be delivered in 2021/2022. The operator(s) selected through the call for projects will be closely involved in the design and execution of the Platform and the Properties.

The Properties are dedicated to the welcoming and hauling out of very large « Yachts » to perform operations of maintenance, reparation or conversion (refit).

The perimeter of the Properties concerned by the call for projects, as well as their main technical characteristics will be further developed as part of negotiations with the applicant.



4. Envisaged type of agreement

The envisaged agreement will take place by the concluding of one or more occupancy agreements with the candidate(s) selected under the conditions provided in the consultation package.

For the right to occupy the Properties, the future(s) occupant(s) must pay a fee to SEMIDEP Ciotat. This fee consists of a fixed amount payable in advance, as the work progresses on the Platform, and an annual fee following the terms specified by the candidates, as required by the consultation package.

The Occupant(s) will be responsible separately, for the rental cost of berths, cranes, etc. according to public tariffs.

5. Obtaining the consultation package

The consultation package is available only in digital format. It can be requested by e-mail, in due course, to SEMIDEP – Ciotat at the following address:

e-mail: 4000t@semidep.com

The consultation package will be transmitted within three days of request. The candidate must return an acknowledgement that he was able to open all files transmitted. In the absence of this acknowledgement of reception and no further communication, the file will be considered as received correctly.



6. Procedure for selecting the projects

Upon expiration of the deadline, application files will be reviewed and then selected according to the following process:

- Review of applications on the basis of the two following criteria (without prioritization of criteria and sub-criteria):
 1. Professional, technical and financial resources of the candidate, in terms of its activities and its expertise in the maintenance, reparation or conversion of 2000t to 4000t yachts or, failing that, of smaller yachts;
 2. General ambition of the proposed development project, particularly with regard to:
 - the defined strategic ambition;
 - the development of employment on La Ciotat site;
 - inserting capabilities into the "cluster" of companies at the local level;
- Following this review, the SEMIDEP-Ciotat will review the financial proposals of the best candidates selected with respect to the above criteria, following the procedure specified in the consultation package. These financial proposals will be developed and possibly improved as part of negotiations during which the amount and methods of payment of the fee, the various technical options, but also the future pricing of lift maneuvers will be discussed among other things.
On each of the lots concerned, the highest financial bid among the remaining candidates will be retained. The highest offer will be evaluated based on a formula mentioned in the consultation package.

7. Application Deadlines

Applications must be submitted no later than: **February 2, 2018 before 16:00.**

The application procedure is described in the consultation package.

Late applications will not be considered.



8. Visit of the sites

A visit of the sites can be conducted in the presence of a SEMIDEP-Ciotat representative, by appointment only. Conditions are described in the consultation package.

9. Appeal procedures

Appeal procedures are handled by the « Tribunal Administratif de Marseille »

Address: 22-24 rue Breteuil, 13006 Marseille FRANCE

Phone: 04 91 13 48 13

Fax: 04 91 81 13 87/89

e-mail: greffe.ta-marseille@juradm.fr

An appeal of full jurisdiction challenging the validity of the agreement(s) to be concluded or of some of its (their) non-regulatory clauses that are divisible from the rest of the agreement(s), resulting from the case law known as "Tarn-et-Garonne" (CE Ass. 4 avril 2014, req. n° 358994), may be exercised before the appropriate judge by any third party whose interests may be prejudiced directly and with certainty by the execution of the agreement or its clauses, within two months of the completion of the appropriate public notice procedure. The claimants may include in their appeal, a claim for damages and a claim to suspend the execution of the agreement, on the basis of Article L. 521-1 of the Code de justice administrative.

