**Rome, 07/04/2016**

**Prot. 303**

**Electronic open tendering procedure for the appointment of a Public Relations and Media Agency to support “Comitato Roma 2014” in the international promotion of the City of Rome for the organisation of the XXXIII Olympic Games and the XVII Paralympic Games.**

**Tender ID (CIG) 6647400802**

**R.A. 027/16/PA**

**Tender Specification**

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**Background**

The formal candidature of Roma Capitale to host the XXXIII Olympic Games and the XVII Paralympic Games in 2024 was approved by Motion No. 39 dated 25 June 2015 issued by the City Council and Resolution No. 1536 dated 2 July 2015 issued by the Italian National Olympic Committee (CONI) upon proposal of its National Board.

With a view to cost containment, CONI deemed it appropriate not to set up a committee to promote the above candidacy (pursuant to articles 39 et seq. of the Civil Code) and rather engaged Coni Servizi S.p.A. – CONI’s operating company, expressly incorporated for the pursuance of CONI’s institutional purposes as per art. 8 of Decree-Law no. 138 of 8 July 2002 converted to a parliamentary act, with amendments, by art. 1 of law no. 178 of 8 August 2002 – to conduct all operational activities needed for the presentation of the candidacy.

As a result, Coni Servizi S.p.A. (hereinafter “Coni Servizi”), created an internal operational unit named “Comitato Roma 2024”, by a resolution of the Company’s Management Board dated 17 March 2015, for the conduct of all design and operational activities instrumental in the candidacy. Comitato Roma 2024, therefore, has no autonomous legal personality and no own assets, but rather uses the staff of Coni Servizi S.p.A. and operates in accordance with the Company’s procedure and policies.

This Specification, annexed to the Tender Notice and forming an integral and substantial part thereof, contains provisions supplementing said Notice, i.e. terms of participation in the open tendering procedure called by Coni Servizi, terms of proposal compilation and submission, documents to be attached to the proposal, and award procedure, as well as any further information related to a contract for the appointment of a Public Relations and Media Agency to support “Comitato Roma 2014” in the international promotion of the City of Rome for the organisation of the XXXIII Olympic Games and the XVII Paralympic Games.

This document governs the terms of conduct of this EU tender**.**

The contract to be awarded pursuant hereto covers a type of service that falls within the scope of Annex II B of Legislative Decree 163/2006 as subsequently amended and supplemented (“Public Procurement Code”, hereinafter PPC). As result, any award shall be made pursuant to and in accordance with the provisions of articles 20, 27, 65, 225 and any other articles of the PPC referenced herein, which shall all apply *mutatis mutandis*.

The Tender Notice shall be published in the OJEU, the Official Journal of the Italian Republic and the contracting entity’s profile; an extract thereof shall also be published on two major Italian newspapers to meet the requirement of public disclosure (in accordance with the case-law principle whereby the contracts under Annex II B of the PPC “are only subject to a minimum set of regulations, whereas the provisions governing terms and conditions for the publication of notices shall not apply”, see the Apulia Regional Administrative Court ruling *TAR* 1333/2007 reported in the notice dated 30/11/2007 of the competent “*Autorità di Vigilanza”*, Supervisory Authority).

The contract will be awarded by an open tendering procedure on the basis of the criterion of the most economically advantageous proposal, pursuant to art. 83 of the PPC.

The whole tendering procedure will be conducted in electronic form, pursuant to art. 74 and art. 77 of the PPC, on the Coni Servizi’s Supplier Portal <https://fornitori.coni.it> (hereinafter “Supplier Portal”), by a digital Request for Proposal in closed envelope (hereinafter “online RFQ”) whose details are described in section 10.1 below.

Instructions for the correct submission of documentation/proposals in the Supplier Portal and the use of support tools are contained in the document “Operating instructions for online submission of proposal” (Hereinafter “Operating Instructions”) annexed hereto.

The tender documents include:

* a Tender Notice;
* this Tender Specification and its annexes:
  + Operating instructions for online submission of proposal;
  + Annex A: Application to take part in tender and single declaration;
  + Annex B: Declaration on cohabiting family members;
  + Annex C: Third-party resource provider’s declaration in the event of resource pooling;
  + Annex D: Price proposal form;
* Special tender specification;
  + Annex 1: Service characteristics;
* “Dedicated bank or postal current account” form;
* “Supplier data sheet” form.

The above documentation can be downloaded:

* from the “*Bandi/Esiti di gara ed Elenco fornitori*” (“Tender Notices/Tender Results and Supplier List”) area of Coni Servizi’s institutional website, on the Tender Notices page: <http://coniservizi.coni.it/it/coni-servizi/bandi-esiti-di-gara-ed-elenco-fornitori/bandi-di-gara.html>; or
* from the “*Bandi e Avvisi in corso*” (“Current Tender Notices and Communications”) area of the Supplier Portal.

The tender documents are also viewable in the reserved area of the Supplier Portal for bidders that successfully completed their registration with the above Portal.

The same communication channels will also be used to publish any amendments/changes to the Tender Notice and its related documentation as detailed above, as well as to response to requests for clarifications from the bidders concerned.

The attached documentation and any information hereof are the property of Coni Servizi and shall be considered confidential, pursuant to art 13, par. 7 of the PPC. In particular, the documentation included in the reserved area of the Supplier Portal shall only be disclosed on a need-to-know basis to the employees, lawyers and consultants of the bidders taking part in this procedure in the exercise of their respective functions.

1. **Tender purpose, duration and initial price** 
   1. **Tender purpose**

The purpose of this tendering procedure is to appoint a Public Relations and Media Agency to support “Comitato Roma 2014” in the international promotion of the City of Rome for the organisation of the XXXIII Olympic Games and the XVII Paralympic Games, as better specified in Annex 1 to the Special Tender Specification under “Service Characteristics”.

* 1. **Duration**

The contract shall be in effect from the date of the service commissioning to September 2017 (i.e. until the day of the vote to decide the venue of the 2024 Olympics).

* 1. **Initial tender price**

The monthly amount (minus the rebate percentage that will be offered by the bidder) that will be paid to the contract awardee, from the date of service commissioning until September 2017 at the latest is equal to € 45.000,00 + VAT.

A Success Fee of € 80.000,00 will also be recognised if the city of Rome is granted the Olympics.

The total initial tender price, specified herein for the calculation of the duty to be paid to ANAC (see section 5 below), inclusive of the Success Fee and any travel costs is equal to € 845.000,00 and is based on the assumption that the service will start to be provided on 1 May 2016 (for a total duration of 17 months).

The total amount to be recognised in favour of the awardee shall be equal to:

*(Monthly fee less the rebate percentage offered in the tender x the number of months running from the date of service commissioning to the expiry date of the contract) + Success fee (only if the Olympics are granted to Rome).*

If the service is not commissioned at the beginning of the month, the fee to be paid will be calculated on a pro-rata basis, commensurately with the actual days of service provision.

A similar method of calculation will apply to the discontinuance of the service, i.e. the fee payable for the month when the service ends will be calculated on a pro-rata basis, commensurately with the actual days of service provision.

Coni Servizi shall cover the costs of travel, board, accommodation and local transport in Rome.

For such costs, Coni Servizi will apply the limits defined in the internal travel policy (which will only be disclosed to the awardee) and a general 20% limit on the contractual amount.

In any case, during the performance of the contract, Coni Servizi reserves the right to request and the awardee shall be under the obligation to accept either an increase or a decrease in the service, on the terms and conditions of this Specification and all other annexes, within the limit of one fifth of the contractual amount pursuant to article 11 of the Royal Decree 2440/1923.

1. **Eligible bidders**

The eligible bidders for the purpose hereof are specified in art. 34 of the PPC.

Any entities intending to bid in this tender and whose registered office, place of residence or domicile is in a country included in the black lists published in the Finance Ministry Decree of 4 May 1999 and in the Ministerial Decree of 21 November 2001 are required to obtain the authorisation prescribed by the Ministerial Decree of 14 December 2010 from the Ministry of Economy and Finance, without which they will be excluded from the tender (art. 37 of Decree-Law no. 78 of 3 May 2010).

Coni Servizi will perform customary checks on all bidders and, after consulting the Treasury Department website for the blacklisted countries defined by the above Ministerial Decrees, make sure that a company based in a blacklisted country has obtained or at least applied for the above authorisation.

Entities that have set up, or are in the process of setting up, a temporary joint venture (hereinafter “temporary JVs”) are allowed to bid in this tender subject to the provisions of art. 37 of the PPC. The bidding of entities incorporated in other EU Member States is also allowed in the forms provided for in the country of establishment.

Consortia are also allowed to bid subject to the provisions of articles 34, 35, 36 and 37 of the PPC and article 277 of Presidential Decree 207/2010 as subsequently amended and supplemented (hereinafter “PPC implementing regulations”).

Pursuant to the Resolution of the former Supervisory Authority for Public Works and the Public Procurement of Services and Products (AVCP), currently ANAC “Anti-Corruption Authority”, no. 114 of 13 December 2006, the ordinary consortia under art. 34, par. 1, item e) of the PPC to be set up are not subject to par. 8 art. 37 of the PPC – which requires a special collective power of representation to be given to one of the consortium members (agent entity) – or to paragraphs 14 et seq. of such art. 37, with the proviso that the consortium shall formally be set up prior to the execution of the contract.

To bid as a temporary joint venture or an ordinary consortium, the agent entity (in case of a temporary JV) or one of the current (or future) consortium members (in case of an ordinary consortium already set up or to be set up) is required to provide most of the service, on pain of exclusion.

To that end, the services to be performed by the individual current or future joint venturers, or current or future consortium members, shall be specified in Annex A hereto pursuant to art. 37, par 4, of the PPC.

Bidders are not allowed to participate in more than one temporary joint venture or ordinary consortium, or to bid individually, when they have already bid as part of a temporary JV or ordinary consortium.

The consortia under art. 34, par 1, items b) and c) of the PPC, are required to specify in Annex A hereto the names of the consortium members for which the consortium is bidding; these will not be allowed to bid in any form (i.e. either individually or jointly with others). Otherwise, both the consortium and its members will be excluded from the tender and art. 353 of the Italian Criminal Code will apply.

The parts of the service to be performed by individual consortium members shall equally be specified in Annex A hereto.

If a consortium under art. 34, par 1, item c) of the PPC fails to state which member(s) the consortium is bidding for, it will be considered as bidding on its own behalf.

Moreover, the members of a consortium are required to agree on a period of joint operation of no less than 5 years.

1. **Required overall, economic, financial, technical and organisational capacities**

Bidders shall meet the following requirements in terms of personal, economic, financial and technical capacities, on pain of exclusion:

1. Personal capacities:
2. being listed in the Company Register for activities associated with the purpose of the contract to be awarded, in accordance with art. 39 of the PPC;
3. no grounds for exclusion as per art. 38 of the PPC, and no other circumstance causing an exclusion from the tender and/or a ban on contracting with the public sector.
4. Economic and financial capacities:
5. having made aggregate sales of no less than € 1.500.000,00 (overall sales) as documented in the financial reports for the last three financial years approved as on the publication of the tender notice;
6. having made aggregate sales of no less than € 1.200.000,00 from the provision of services similar to those of this tender (service-specific sales) as documented in the financial reports for the last three financial years approved as on the publication of the tender notice;
7. Technical capacities:
8. having regularly provided at least a service similar to that of this tender and worth no less than € 500.000,00, net of VAT, over the three years preceding the publication of the tender notice.

Said service shall be covered by a single contract extending over one or more years of the above three-year period.

In order to demonstrate that, and assess whether this requirement is met, reference shall be made to a service started and concluded in the above period, or, for a previously started service, the part concluded in the above period or, for a contract still in progress at the end of the three-year period, the performed part only.

In the event of participating as a temporary JV or consortium:

1. the above personal capacity requirements shall be met:
2. for a temporary JV already set-up or to be set up or for an ordinary consortium to be set up, by each of the joint venturers or consortium members;
3. for a consortium under art. 34, par 1, item b) or c) of the PPC or for a consortium already set-up, by the consortium and each of the consortium members identified by the consortium as bidding members;
4. the economic and financial capacity requirements shall be met:
5. for a temporary JV or ordinary consortium to be set up, to an extent of no less than 60% by the agent entity (in case of a temporary JV) or by one of the future consortium members (in case of an ordinary consortium to be set up), and to an extent of no less than 20% by each of the other joint venturers or consortium members, subject to the obligation by the JV or consortium to meet such requirement to an extent of no less than 100%;
6. for an ordinary consortium already set up, to an extent of no less than 60% by one of the consortium members identified by the consortium as bidding members, and to an extent of no less than 20% by each of the other consortium members bidding in this tender together with the consortium, subject to the obligation by the consortium to meet such requirement to an extent of no less than 100%;
7. for a consortium under art. 34, par. 1, item b) of the PPC, directly by the consortium;
8. for a consortium under art. 34, par. 1, item c) of the PPC, by the consortium or by all the consortium members identified by the consortium as bidding members (pursuant to art. 277 of the PPC implementing regulations).
9. the technical capacity requirement under item C) subitem i) shall be met by:
10. for a temporary JV already established or to be established, at least by the agent entity;
11. for an ordinary consortium already established or to be established, at least by one of the consortium members;
12. for a consortium under art. 34, par 1, item b) of the PPC, directly by the consortium;
13. for a consortium under art. 34, par 1, item c) of the PPC, directly by the consortium or by one of the consortium members identified by the consortium as bidding members (pursuant to art. 277 of the PPC implementing regulations).

The above provisions that apply to temporary JVs shall also apply to EEIGs (European Economic Interest Groupings) bidding in this tender.

1. **Registration with the AVCpass System**

Pursuant to art. 6- *bis*, par. 1 of the PPC and resolution no. 111 of 20 December 2012 of the former AVCP (currently ANAC), compliance with the requirements under section 3 will be checked through the AVCpass system made available by ANAC, subject to the provisions of art. 6-bis, par. 3 of the PPC, save for any technical issues preventing the use of the AVCpass system.

All prospective bidders are required to register with the system by accessing through the ANAC Portal hyperlink (https://ww2.avcp.it/idp-sig/) and following the related instructions. After registration, bidders will obtain an “economic operator passkey”, PASSOE, issued by ANAC’s IT system, which certifies that the bidder can be verified through the AVCpass system.

1. **Tender ID (CIG)**

For all formalities, including the payment of the duty charged to bidders in this tender, pursuant to art. 1 paragraphs 65 and 67 of law no. 266 of 23 December 2005, the tender ID (CIG) to be used is **6647400802.**

The duty payable is **€ 80.00.**

The operating instructions for the above payment are published on ANAC’s website.

1. **Award Procedure Manager**

The Award Procedure Manager is Mr. Gennaro Ranieri in his capacity as Purchasing Department Manager.

1. **Publication costs**

Pursuant to art. 34 of Decree-Law no. 179 of 18 October 2012 converted to Law no. 221 of 17 December 2012, all publication costs listed in the second sentence of par. 7, article 66 of the PPC shall be refunded by the awardee to Coni Servizi within the term stated in the above provision.

Costs to be refunded by the awardee are as follows:

* € 2.920,68 + VAT

It is understood that Coni Servizi will notify the awardee of the exact amount of the above costs; these will include the costs of any notices of extensions and/or adjustments to the tender notice that also need to be refunded.

1. **Subcontracting**

No subcontracting is allowed.

1. **Use of supplier portal and minimum required equipment**
   1. **Use of supplier portal**

For a speedier tendering procedure and a better use of the ICT systems in any communications with Coni Servizi, the procedure will be conducted electronically, pursuant to art. 74 and 77 of the PPC, on the Supplier Portal of Coni Servizi (to be reached through the URL https://fornitori.coni.it/) managed by BravoSolution S.p.A. (hereinafter “BravoSolution”).

No other method of bidding is allowed.

Bidders in this tender are therefore required to register for using the Supplier Portal by following the instructions of the “*Guida all'abilitazione*” (registration guide) that can be downloaded from the Portal homepage.

A registration form shall be submitted by 21 April 2016 at the latest, beyond which registration is not guaranteed.

An already registered bidder is not required to register again. However the Coni Servizi Supplier Support Service may be contacted (on the phone number and email address given in section 10.3 below) for any changes in the registration details or if access credentials (User ID and Password) are lost.

The Supplier Portal is provided through ISO/IEC 27001 certified services and solutions. ISO/IEC 27001 is a world safety standard that protects the confidentiality, integrity and availability of sensitive data of the corporations that use such solutions.

IT transactions will be traced back to a registered bidder and are meant to be made on the day and at the time recorded by the system.

In particular, the system time is synchronised to the Italian time measured in Coordinated Universal Time - UTC (IEN).

Registered bidders shall refrain from disclosing their Coni Servizi credentials, including their passwords, to any third parties.

All communications related to the tendering procedure will be posted by Coni Servizi in the bidder’s personal mailbox within the Portal (the bidder will receive them in its online RFQ “Inbox”).

Pursuant to art. 79, par 5 *quinquies* of the PPC, by accessing the online RFQ, bidders will automatically declare their own Mailbox as their virtual legal domicile in the online RFQ for any notices or communications in relation to this tender.

In the event of a system downtime, and whenever found appropriate, Coni Servizi will send communications on this procedure by certified email, fax or certified mail with return receipt requested – to be possibly preceded by a fax transmission – to the addresses advised at the time of registering with the Supplier Portal or on the bidder’s submission of its proposal/application for this tender.

Bidders that have already registered for the Supplier Portal are required to promptly update their personal Mailbox in the Supplier Portal in case of a change to their email address.

For temporary JVs or consortia, the system shall solely be used by:

* the agent entity (for JVs);
* the consortium (for a consortium under art. 34, par. 1, item b) or c) of the PPC or for an ordinary consortium already set up);
* one of the consortium members (for an ordinary consortium to be set up),

as the only registered user of the system with the power to send requests for clarifications, receive all notices on this tendering procedure (including replies to questions), and electronically send the proposal and the full support documentation, which documentation, if required, needs to be signed by the agent entity, the consortium member, the consortium, the other joint venturers or consortium members, as the case may be, as specified in the sections below.

In case of an enterprise pool, a notice sent to the bidder is meant to be validly made to all other resource providers forming part of the pool.

* 1. **Minimum required equipment**

To bid in this tender a bidder needs to have the minimum required equipment described at the following URL:

https://fornitori.coni.it/esop/common-host/public/browserenv/requirements.jsp.

The documentation shall be signed (whenever required) by using a currently valid digital signature certificate issued by a certifier included in the public “certifiers’ list” kept by the *Agenzia per l’Italia digitale* (Digital Agency for Italy – formerly DigitPA), which list was officially instituted by art. 29, par. 1 of Legislative Decree 82/2005). The signature certificate will be generated by a secure device, pursuant to art. 38, par 2, of Presidential Decree 445/2000 and art. 65 of Legislative Decree 82/2005.

Only digital signature certificates from certifiers operating through a licence or authorisation issued by a EU member states and meeting the requirements of directive 1993/93/EC are allowed.

Pursuant to art. 21, par 4 of Legislative Decree 82/2005, digital signature certificates from a certifier based in a country outside the EU will only be allowed if the following conditions are met:

* the certifier meets the requirements of directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 and was accredited in a Member State;
* the qualified certificate is guaranteed by a certifier based in the European Union and meeting the requirements specified in the same directive;
* the qualified certificate or the certifier is recognised by a bilateral or multilateral agreement between the European Union and third countries or international organisations.

To that end, the bidder is required to state which of the above conditions apply to the certifier of the signature evidenced by the attached support documentation with the further indication of the verification method used (software, hyperlink, etc).

**HOWEVER, ENTITIES NOT BASED IN ITALY ONLY ARE ALLOWED TO SIGN DOCUMENTS BY HAND AND SEND SCANNED COPIES THEREOF WITH AN ATTACHED SCANNED COPY OF THE CURRENTLY VALID IDENTIFICATION DOCUMENT OF THE SIGNATORY BY THE DEADLINE FIXED FOR THE PROPOSAL/APPLICATION SUBMISSION.**

The Supplier Portal integrates a digital signature verification tool that checks the validity of the signature, if file size does not exceed 25 MB.

Coni Servizi will check the validity of digital signatures by using the automatic verification tool available in the Portal or, if such check is unsuccessful, the free software available to Italian Certification Authorities (as provided for by the applicable legislation).

For digitally signed files, prior checks shall be made through the above tool(s).

For each digitally signed documents, the digital signature certificate shall be valid on the date when the document is entered into system.

The signature is considered valid if the three following conditions are met:

1. the file is not broken (meaning that it contains the document, the digital certificate of the signatory and the digital signature);
2. the digital certificate of the signatory was issued by a certifying body quoted in the public list of the *Agenzia per l’Italia digitale* (formerly DigitPA) and has not expired;
3. the digital certificate was not revoked or suspended by the certifying body that issued it.

Please note that a document with an expired or revoked digital signature may only be valid if it is associated with a timestamp enforceable against third parties (i.e. issued by a certifier included in the public certifiers’ list), and affixed when the signature certificate was valid.

The holders of a digital signature certificate with an expiry date preceding the date when the document was entered in the Portal shall put a certified timestamp on the digitally signed document (time stamping shall be made in accordance with the rules specified in the Operating Instructions).

If more than one digital signature is affixed on the same document no counter-signature is allowed.

Pursuant to art. 13, par. 1b, of resolution no. 4/2005 CNIPA – currently *Agenzia per l’Italia digitale* (formerly DigitPA), a counter-signature merely has the function of adding a digital signature to a previous signature (affixed by another signatory) and does not imply a formal acceptance of the document.

Electronic documents therefore require digital signatures.

It is also worth noting that, in order to bid as temporary JVs or consortia, a digital signature shall be held:

* for a temporary JV already set up or to be set up or for an ordinary consortium to be set up, by the legal representative or attorney-in-fact of each of the joint venturers or consortium members;
* for an ordinary consortium already set up and for a consortium under art. 34, par 1, item b) or c) of the PPC, by the legal representative or attorney-in-fact of the consortium and by the legal representative or attorney-in-fact of each of the consortium members identified by the consortium as bidding members for this tender.

All registered entities are required to observe any applicable legal, regulatory and contractual provisions on the use and maintenance of a digital signature tool, specifically art. 32 of Legislative Decree 82/2005 and any further instructions given in such respect by the certifier that issued the tool and expressly exempt BravoSolution and Coni Servizi from any liabilities for the adverse consequences, or any direct or indirect damage or loss caused to the same or third parties, by the use of a digital signature tool.

All documents bearing a digital signature may not be considered valid and effective if they are not signed in accordance with the above methods.

1. **Conduct of tendering procedure, award criterion, support procedure, requests for clarifications**
   1. **Conduct of tendering procedure**

This tendering procedure shall be conducted on the Supplier Portal of Coni Servizi through the online RFQ.

To bid in this tender, the following steps shall be completed before the proposal/application submission deadline:

1. to request registration with the Supplier Portal;
2. to access the online RFQ for this tender;
3. to read the additional tender documentation (available in the “Annexes” area);
4. to access the “Qualification Response” box of the online RFQ and:
5. enter your “bidder status”;
6. attach the administrative documentation required for bidding as per section 12.3 below;
7. to access the “Technical Response” box of the online RFQ and attach the technical proposal documentation as per section 12.4 below;
8. to access the “Commercial Response” box of the online RFQ, attach the price proposal documentation as per section 12.4 below and confirm the price proposal on screen;
9. to submit your response to the online RFQ.

The system will reject proposals/applications submitted by different methods.

The addition of elements concerning price in documents that are not contained in the Commercial Response box **will be a cause for exclusion**.

* 1. **Award criterion**

The contract will be awarded to the bidder that has obtained the highest total score, pursuant to art. 83 of the PPC, based on the following criterion:

|  |  |
| --- | --- |
| Evaluation Criterion | MAXIMUM  SCORE |
| Technical Proposal | *70* |
| Price Proposal | *30* |
| TOTAL | **100** |

The evaluation of the most economically advantageous proposal shall be made in accordance with the following criteria.

The overall score for each proposal (PTOT) shall result from the sum of scores obtained for the technical proposal (PT) and for the price proposal (PE) respectively.

If the proposals of two or more competing bidders obtain the same overall score, but different partial scores for the technical and price proposals respectively, the bidder having obtained the higher/highest score for its price proposal will have a higher/the highest ranking.

If the proposals of two or more competing bidders obtain the same overall score and the same partial scores for the technical and price proposals respectively, the better/best proposal will be decided by public draw.

In each calculation and, consequently, in the final score, figures will be quoted up to the third decimal, which will be rounded to the higher unit if the forth decimal is between five and nine or remain unchanged if the fourth decimal is between zero and four.

## Scoring criteria – technical score

A technical proposal may be given up to 70 points maximum out of 100 based on the following criteria:

|  | **Technical Scoring Criteria (Wi)** |
| --- | --- |
| **A.1** Press Office Support - Methodological approach and terms of provision of the described service | 14 |
| **A.2** International Media Programme - Methodological approach and terms of provision of the described service | 10.5 |
| **A.3** Story Creation - Methodological approach and terms of provision of the described service | 3.5 |
| **A.4** Bidding Activity - Methodological approach and terms of provision of the described service | 7 |
| **A.5** Event Activity - Methodological approach and terms of provision of the described service | 10.5 |
| **A.6** Digital Content Creation - Methodological approach and terms of provision of the described service | 7 |
| **A.7** Working Team | 14 |
| **A.8** Proposals for improvements/additional services | 3.5 |
| **TOTAL** | 70 |

To assign a technical score to each bidder, the Board of Evaluators will proceed in accordance with annex “P” to presidential decree 207/2010 (hereinafter the “PPC implementing regulations), paragraph II, i.e.

**PT(a) = ∑n [Wi \* V(a) i]**

where

* **PT(a) = technical score assigned to bidder (a);**
* **n** = total number of requirements;
* **Wi** = score assigned to each requirement (i);
* **V(a)i** = performance coefficient assigned to the proposal of bidder (a) for each requirement (i) varying between zero and one;
* **Σn** = sum,

and performance coefficient V(a)i will be obtained by applying the method under item a) subitem 1.

If the proposals to be evaluated are less then three, the Board will proceed in accordance with annex “P” to the PPC implementing regulations, paragraph II, item a) subitem 4.

In that event, the evaluations of the above criteria will be made in accordance with the evaluation scale shown in the table below:

| **EVALUATION SCALE** | **COEFFICIENT** |
| --- | --- |
| **Outstanding**  The aspects to be evaluated through the criterion are covered in a more than convincing and significant way. The elements required in all issues raised are provided and no aspects or areas are unclear. | 1 |
| **Excellent**  The aspects to be evaluated through the criterion are covered in a convincing and significant way. The elements required in all issues raised are provided and no aspects or areas are unclear. | 0.90 |
| **Very Good**  The aspects to be evaluated through the criterion are covered in a more than adequate way. The elements required in all issues raised are provided and no aspects or areas are unclear. | 0.80 |
| **Good**  The aspects to be evaluated through the criterion are adequately covered. The elements required in all or almost all the issues raised are provided. | 0.70 |
| **Fair**  The aspects to be evaluated through the criterion are adequately covered, although some improvements are possible. The elements required in almost all the issues raised are provided. | 0.60 |
| **Acceptable**  The aspects to be evaluated through the criterion are covered in broad terms but there are several weaknesses. A few significant elements are provided but there are several issues with a few details missing, or for which the elements provided are limited. | 0.50 |
| **Partially acceptable**  The aspects to be evaluated through the criterion are partially covered or incomplete elements are provided. A few elements are provided but there are several questions with details missing, or for which the elements provided are missing. | 0.40 |
| **Fail**  The aspects to be evaluated through the criterion are very partially covered and incomplete elements are provided. The issues raised are only partially covered or only few relevant elements are provided. | 0.20 |
| **Not eligible for evaluation**  The aspects to be evaluated through the criterion are not covered (or only marginally covered) or such aspects cannot be evaluated as several elements are either missing or incomplete. The issues raised are not covered at all or only few relevant elements are provided. | 0 |

At the end of the procedure for the discretional assignment of coefficients for each criterion, an average will be calculated between the coefficients discretionally assigned by each of the evaluators.

Next, the average of coefficients assigned by all evaluators will be translated into final coefficients, by assuming the highest average equal to one and prorating the previously calculated provisional averages to such highest average.

For each bidder and for each criterion, the final coefficient obtained will be multiplied by the maximum score envisaged for that criterion (Wi) in order to calculate the actual scores achieved for individual criteria.

The final score to be assigned to the technical proposal of each bidder will be calculated by summing up the scores achieved for individual criteria.

## Scoring criteria – price score

The scores for the price proposal of each bidder shall be assigned in accordance with the following formula:

**PE(a)** = Ra/Rmax X maximum price score

where:

* PE(a) = price score assigned to the bidder (a);
* Ra = price rebate offered by the bidder (a);
* Rmax = maximum price rebate offered.
  1. **Support procedure**

For any information on the terms for attaching the requested documentation in the Portal and in case of any technology, software or communication downtimes, kindly call the Coni Servizi Supplier Support Service on +39 02 266002616 or send an email to fornitori.coniservizi@coni.it (by making reference to the tendering procedure, any issues encountered and your phone number(s)).

* 1. **Requests for clarifications**

Any requests for clarifications shall be submitted **by 20 April 2016 at 12:00** at the latest, in written form and in Italian language through the online RFQ messaging tool (follow the steps described in the Operating Instructions).

Clarifications will be provided at least 5 (five) days prior to the deadline for the submission of proposals/applications, in fully anonymous form (no information on the applicant), and downloaded:

* from the “*Bandi/Esiti di gara ed Elenco fornitori*” (“Tender Notices/Tender Results and Supplier List”) area of Coni Servizi’s institutional website, on the Tender Notices page: <http://coniservizi.coni.it/it/coni-servizi/bandi-esiti-di-gara-ed-elenco-fornitori/bandi-di-gara.html>;
* from the “*Bandi e Avvisi in corso*” (“Current Tender Notices and Communications”) area of the Supplier Portal; or
* from the “*Messaggi ricevuti*” box (“Inbox”) of the online RFQ.

All bidders having accessed the online RFQ at least once will receive a communication inviting them to read the replies to their requests for clarifications.

Coni Servizi reserves the right to response to the questions received after the above deadline.

1. **Terms of document submission**

All ‘self-declarations’ (made in lieu of certification) required for bidding in this tender:

1. shall be issued pursuant to articles 46 and 47 of Presidential Decree 445/2000 and signed by the declarant (legal representative);
2. may also be signed by attorneys-in-fact and, in that case, a copy of the relevant power of attorney shall be attached;
3. shall be made and signed by bidders of any status, i.e. individual bidders, joint venturers, consortium members, even when such declarations are ascribable to third-party resource providers, each acting within its purview.

The remaining documentation shall be produced as described below.

**IN THE EVENT OF ENTITIES NOT ESTABLISHED IN ITALY, THE DOCUMENTATION SHALL BE PRODUCED IN AN EQUIVALENT SUITABLE FORM IN ACCORDANCE WITH THE LEGISLATION OF THE STATE OF ORIGIN, IN WHICH CASE ART. 38, PAR. 5, ART. 39, PAR. 2, ART. 45, PAR 6, AND ART. 47 OF THE PPC SHALL APPLY.**

**THE FULL DOCUMENTATION TO BE PRODUCED SHALL BE IN ITALIAN LANGUAGE OR, FOR DOCUMENTATION IN A LANGUAGE OTHER THAN ITALIAN, A SWORN TRANSLATION INTO ITALIAN SHALL BE PRODUCED. IN CASE OF CONFLICT BETWEEN THE ORIGINAL TEXT AND ITS ITALIAN TRANSLATION, THE LATTER SHALL PREVAIL, AS THE BIDDER SHALL BE SOLELY LIABLE AND ACCOUNTABLE FOR ANY UNFAITHFUL TRANSLATION.**

The annexes to this Tender Specification are editable. Bidders shall use the downloadable forms and leave any irrelevant or inapplicable fields blank.

1. **Terms of submission of applications/proposals and information/documents to be supplied by bidders**

The administrative documentation required for bidding and the technical and price proposal shall be submitted to the Supplier Portal **by 27 April 2016 at 12:00** at the latest (ultimate date and time), by the submission methods described below.

* 1. **Bidder’s status**

In the “Qualification Response” box of the online RFQ, the bidder will have to select a bidder’s status (i.e. “*impresa singola*” - individual bidder, “*RTI” -* temporary JV, or “*consorzio*” *-* consortium).

The same information shall be entered in Annex A hereto.

* 1. **Administrative documentation required for bidding - to be quoted in the "Qualification Response" box of the online RFQ**

The following documents shall be attached in the Qualification Response box:

1. **[On pain of exclusion] A “Application to take part in tender and single declaration”**, which shall form an integral part of this Tender Specification, certifying that the requirements specified in section 3 above are met – said documents are available in Annex A hereto and shall be completed and signed digitally **(OR BY HAND FOR AN ENTITY NOT ESTABLISHED IN ITALY)** by the bidder’s legal representative or attorney-in-fact (in the latter case, a copy of the relevant power of attorney should also be uploaded to the system) together with a copy of the identification document of the declarant (**IN CASE OF A DECLARATION FROM AN ENTITY NOT ESTABLISHED IN ITALY, SIGNED BY HAND)** which will have to be valid as on the date fixed for the submission of applications/proposals.

The declarant shall also submit an exhaustive declaration for Coni Servizi to make an informed assessment of his or her reliability and the reliability of the bidder.

In the event of:

* no signature on the document;
* no attachment of a power of attorney in case of a declaration signed by an attorney-in-fact;
* no declaration or an incomplete declaration certifying that the requirements specified in section 3 above are met;
* failure to submit, or incompleteness of the declarations required from temporary JVs or consortiums as detailed below:
* a promise to give a special power of representation to the lead joint venturer or lead consortium member (with full details of its corporate name);
* services to be provided by each joint venturer or consortium member;
* in case of an award, a promise to comply with the applicable regulations on temporary JVs or ordinary consortia;
* cancellation of one or more of the declarations to be found in Annex A (except those removed as inapplicable or not relevant);
* an incomplete or non-compliant declaration,
* (only for entities not established in Italy, if a handwritten signature is affixed) failure to attach the signatory’s identification document;
* (only for entities not established in Italy, if a handwritten signature is affixed) attachment of an identification document that has already expired on the deadline for the submission of applications/proposals,

the bidder will be invited to make good its non compliance within 3 working days of a request to that effect.

A failure to attach any of the declarations required in Annex A hereto cannot be remedied and will consequently imply the bidder’s exclusion from the tendering procedure.

Please note that, for temporary JVs or consortia, Annex A shall be completed and signed digitally **(OR A HANDWRITTEN SIGNATURE SHALL BE AFFIXED FOR ENTITIES NOT ESTABLISHED IN ITALY)** by the legal representative or attorney in fact:

* of each of the joint venturers or consortium members, in the event of bidding as a joint venture already set up or to be set up, or as an ordinary consortium to be set up;
* of the consortium and of each of the consortium members identified by the consortium as bidding members, in the event of bidding as a consortium under art. 34, par 1, item b) or c) of the PPC, or as an ordinary consortium already set up;

1. **A support document certifying that a duty was paid** in favour of ANAC, as specified in ANAC’s resolution dated 5 March 2014 pursuant to art. 1, paragraphs 65 and 67 of Law no. 266 of 23 Dec. 2005 (tender duties), and bearing reference to the tender ID (CIG) specified in section 5 above.

The duty payable for each bidder is equally specified in section 5 above.

As proof of payment, a payment receipt or a scanned copy of the paper receipt issued by a POS payment system shall be uploaded to the system.

A failure to pay the above duty prior to the proposal/application submission deadline shall be a **cause for exclusion from bidding**. Also note that, if the duty was paid by methods differing from those specified herein, or if the bidder forgets to attach a digital copy of the payment receipt or a scanned copy of the paper receipt issued by a POS payment system, the bidder will be requested to make good such noncompliance within 3 working days of a request to that effect.

The following payment methods are envisaged for the payment of the duty:

1. **an online payment** by a Visa, MasterCard, Diners or American Express credit card, in which case the payer is required to access the “*Servizio Riscossione*” (collection service) and follow instructions on screen. **As proof of payment, a digital or scanned copy of the payment shall be uploaded to the system**;
2. a cash payment by using the payment form issued by the Collection Service and available in all points of sale of tobacconists/lottery terminal operators licensed for electronic payments. Check on webpage http://www.lottomaticaservizi.it under option “*Cerca il punto vendita più vicino a te*” (search for the closest point of sale) and select item “*contributo AVCP*” (AVCP duty) in the dropdown list for a downloadable form. **As proof of payment, a scanned copy of the paper payment receipt issued by the POS shall be uploaded to the system**.

**ENTITIES NOT ESTABLISHED IN ITALY ARE ALSO ALLOWED TO PAY BY INTERNATIONAL BANK TRANSFER TO BANK ACCOUNT NO. 4806788 OPENED WITH MONTE DEI PASCHI DI SIENA (IBAN: IT 77 O 01030 03200 0000 04806788 - BIC: PASCITMMROM) IN THE NAME OF *AUTORITÀ NAZIONALE ANTICORRUZIONE*.**

**THE “DESCRIPTION OF PAYMENT” FIELD SHALL ONLY BE FILLED WITH THE TAX IDENTIFIER USED IN THE BIDDER’S COUNTRY OF ESTABLISHMENT OR RESIDENCE (E.G. A VAT NUMBER) AND THE TENDER ID (CIG).**

**IN THAT CASE, A BANK TRANSFER RECEIPT SHALL BE ATTACHED.**

1. In case of an **enterprise pool**, kindly attach the documentation specified in section 12.3 below;
2. **The “dedicated bank or postal current account” and “supplier data sheet**”**” forms** (needed to fulfil all the tracing requirements for financial flows prescribed by art. 3 of Law no. 136/2010) duly completed and signed digitally (or by hand) by the bidder’s legal representative or attorney in fact.

As these documents are not relevant to this phase of the tendering procedure, a failure to submit the same shall not imply a request for remedial action;

1. For a consortium under art. 34, item b) or c) of the PPC and for an ordinary consortium already set-up, **a scanned copy of the memorandum and articles of association** of the consortium with details of the consortium members.

A failure to submit a scanned copy of the above documentation shall not be a cause for exclusion; such noncompliance, however shall be remedied within 3 working days of a request to that effect.

1. For a temporary JV already set up, a scanned copy of the irrevocable collective power of representation given to the agent entity by a notarised contract or by a certified private contract, with the details of the agent entity;

A failure to submit a copy of the power of representation shall not be a cause for exclusion; such noncompliance, however shall be remedied within 3 working days of a request to that effect;

1. (For companies established, residing or having their domicile in a blacklisted country), **an authorisation or request for authorisation** (in the latter case, if the bidder is awarded the contract, it will be required to produce the authorisation document) to participate in tendering procedures for public works and the public procurement of services and products.

A failure to submit an authorisation or request for authorisation shall not be a cause for exclusion; such noncompliance, however shall be remedied within 3 working days of a request to that effect;

1. A document certifying the assignment of an “economic operator passkey” or “**PASSOE**”, from the AVCpass system.

A failure to register with the AVCpass service, and a possible failure to receive the PASSOE do not imply an exclusion from this procedure. Coni Servizi will send a notice fixing a reasonable term for the fulfilment of the prescribed formalities; as a result, a failure to register with the AVCpass service, and a failure to receive the PASSOE shall not imply a request for remedial action.

* 1. **Resource pooling**

Pursuant to and in accordance with the terms and conditions of article 49 of the PPC, the bidder – i.e. an individual entity, a consortium member or a joint venturer pursuant to art. 34 of the PPC – may meet the technical and/or economic requirements, by relying on a third-party resource provider.

Such reliance, i.e. resource pooling, shall be expressly stated in Annex A hereto by giving details:

1. of the economic, financial, technical and organisational resources required for bidding, for which a bidder intends to rely on a third-party resource provider;
2. of the name of the third-party resource provider.

When the bidder does not meet the above bidding requirements, a failure to expressly make reference to such reliance (resource pooling) cannot be remedied and therefore amounts to a cause for exclusion.

Pursuant to art. 49, par. 2 of the PPC, the following documentation shall be attached to “Qualification Response” box of the online RFQ:

1. **A declaration written on the form attached in Annex C** hereto, signed digitally **(OR BY HAND IN CASE OF AN ENTITY NOT ESTABLISHED IN ITALY)** by the resource provider’s legal representative or attorney-in-fact (in which case, a copy of the power of attorney shall be attached) and stating that the resource provider:
   * certifies that it meets the general requirements under art. 38;
   * certifies that it meets the technical requirements and has the resources to be contributed to the pool;
   * undertakes towards the bidder and Coni Servizi to make available, for the full contract duration, the necessary resources which the bidder lacks;
   * certifies that the resource provider is not bidding in the tender on its own behalf or as joint venturer or as consortium member pursuant to art. 34 of the PPC.

**IN CASE OF A HANDWRITTEN SIGNATURE (WHICH IS ONLY ALLOWED IF ANNEX C IS PRODUCED BY AN ENTITY NOT ESTABLISHED IN ITALY) ANNEX C SHALL INCLUDE AN ATTACHED COPY OF THE SIGNATORY’S IDENTIFICATION DOCUMENT VALID AS ON THE DEADLINE FIXED FOR PROPOSAL/APPLICATION SUBMISSION.**

The declarant shall also submit an exhaustive declaration for Coni Servizi to make an informed assessment of his or her reliability and the reliability of the resource provider.

In the event of:

* + no attachment of Annex C;
  + no signature on the document;
  + no submission of a power of attorney in case of a declaration signed by an attorney-in-fact;
  + (for an entity not established in Italy only and in case of a handwritten signature) no attachment of the signatory’s identification document;
  + (for an entity not established in Italy only and in case of a handwritten signature) attachment of an identification document that has already expired as on the deadline fixed for proposal/application submission;
  + an incomplete or noncompliant declaration,

the bidder will be invited to make good its noncompliance within 3 working days of a request to that effect.

1. **the original counterpart in digital form (or a scanned copy of the original counterpart) of the resource pooling contract**, signed (either digitally or by hand) by the legal representative or attorney-in-fact of the entity relying on third-party resources as well as the legal representative or attorney-in-fact of the third-party resource provider, by which contract the resource provider undertakes towards the entity relying on its resources, to fulfil the requirements and contribute the necessary resources to the pool, which will have to be described in full detail, for the full duration of the contract to be awarded through the tender, **or, in case of reliance on an entity belonging to the same group**, a self-declaration, signed digitally (or by hand) by the above entity, certifying the existence of a legal and economic resource-pooling arrangement within the group.

**IN CASE OF A HANDWRITTEN SIGNATURE, THE CONTRACT (OR INTRAGROUP DECLARATION) SHALL INCLUDE AN ATTACHED SCANNED COPY OF THE SIGNATORIES’ IDENTIFICATION DOCUMENTS VALID AS ON THE DEADLINE FIXED FOR PROPOSAL/APPLICATION SUBMISSION.**

Pursuant to art. 49, par. 5 of the PPC, the above contract and the self-declaration bind the resource provider to the same obligations prescribed by the applicable anti-mafia legislation that bind the bidder.

In the event of:

* + no and/or incomplete submission of a resource pooling contract;
  + no and/or incomplete submission of the above self-declaration;
  + no signature on the document,
  + (in case of a handwritten signature only) no attachment of the signatory’s identification document;
  + (in case of a handwritten signature only) attachment of an identification document already expired as on the deadline fixed for proposal/application submission,

the bidder will be invited to make good its noncompliance within 3 working days of a request to that effect.

* 1. **Technical proposal**

The following documents shall be attached in the “Technical Response” box of the online RFQ:

1. [**On pain of exclusion**] A technical report compiled and signed digitally **(OR BY HAND FOR AN ENTITY NOT ESTABLISHED IN ITALY)** by the bidder’s legal representative or attorney-in-fact, and containing the following elements:

|  |  |
| --- | --- |
| **A.1** Press Office Support - Methodological approach and terms of provision of the described service | An evaluation will be made of:   * a project proposal that starts from a concise description of the service required by Coni Servizi and describes, for each of the proposed actions and themes specified in Annex 1 to the Special Tender Specification (“Service Characteristics”), the purposes, recipients, contents, phases and working methods associated with the provision of the service; * the creativity of the submitted project, as well as its quality and consistency in relation to, *inter alia*, contextual characteristics. |
| **A.2** International Media Programme - Methodological approach and terms of provision of the described service | An evaluation will be made of:   * a project proposal that starts from a concise description of the service required by Coni Servizi and describes, for each of the proposed actions and themes specified in Annex 1 to the Special Tender Specification (“Service Characteristics”), the purposes, recipients, contents, phases and working methods associated with the provision of the service; * the creativity of the submitted project, as well as its quality and consistency in relation to, *inter alia*, contextual characteristics. |
| **A.3** Story Creation - Methodological approach and terms of provision of the described service | An evaluation will be made of:   * a project proposal that starts from a concise description of the service required by Coni Servizi and describes, for each of the proposed actions and themes specified in Annex 1 to the Special Tender Specification (“Service Characteristics”), the purposes, recipients, contents, phases and working methods associated with the provision of the service; * the creativity of the submitted project, as well as its quality and consistency in relation to, *inter alia*, contextual characteristics. |
| **A.4** Bidding Activity - Methodological approach and terms of provision of the described service | An evaluation will be made of:   * a project proposal that starts from a concise description of the service required by Coni Servizi and describes, for each of the proposed actions and themes specified in Annex 1 to the Special Tender Specification (“Service Characteristics”), the purposes, recipients, contents, phases and working methods associated with the provision of the service; * the creativity of the submitted project, as well as its quality and consistency in relation to, *inter alia*, contextual characteristics. |
| **A.5** Event Activity - Methodological approach and terms of provision of the described service | An evaluation will be made of:   * a project proposal that starts from a concise description of the service required by Coni Servizi and describes, for each of the proposed actions and themes specified in Annex 1 to the Special Tender Specification (“Service Characteristics”), the purposes, recipients, contents, phases and working methods associated with the provision of the service; * the creativity of the submitted project, as well as its quality and consistency in relation to, *inter alia*, contextual characteristics. |
| **A.6** Digital Content Creation - Methodological approach and terms of provision of the described service | An evaluation will be made of:   * a project proposal that starts from a concise description of the service required by Coni Servizi and describes, for each of the proposed actions and themes specified in Annex 1 to the Special Tender Specification (“Service Characteristics”), the purposes, recipients, contents, phases and working methods associated with the provision of the service; * the creativity of the submitted project, as well as its quality and consistency in relation to, *inter alia*, contextual characteristics. |
| **A.7** Working Team | An evaluation will be made of the number of resources made available and the suitability of the working team in terms of skills, professional qualifications and previous experiences by type, quantity, and duration of communication activities. The technical report shall therefore include the attached CVs of the staff in charge of providing the services in question, their educational qualifications and achieved professional experience, and the customers having received their services. |
| **A.8** Proposals for improvements/additional services | An evaluation will be made of the structuring, quantity, quality and effectiveness of any further services that the bidder intends to offer in addition to those required by Annex 1 to the Special Tender Specification (“Service Characteristics”). |

**IN CASE OF A HANDWRITTEN SIGNATURE (WHICH IS ONLY ALLOWED FOR AN ENTITY NOT ESTABLISHED IN ITALY) THE TECHNICAL REPORT SHALL INCLUDE AN ATTACHED COPY OF THE SIGNATORY’S IDENTIFICATION DOCUMENT VALID AS ON THE DEADLINE FIXED FOR PROPOSAL/APPLICATION SUBMISSION.**

Please note that if the bidder is a temporary JV or consortium, the technical report shall be signed digitally **(OR BY HAND FOR AN ENTITY NOT ESTABLISHED IN ITALY)**:

* by the agent entity’s legal representative or attorney-in-fact, in the event of bidding as a temporary JV already set up;
* by the legal representatives or attorneys-in-fact of each of the joint venturers or consortium members, in the event of bidding as a temporary JV or ordinary consortium to be set up;
* by the consortium’s legal representative or attorney-in-fact, in the event of bidding as a consortium under art. 34, par. 1, items b) or c) of the PPC or as an ordinary consortium already set up.

The technical report shall be written on a total of 60 standard pages maximum (A4 pages written using the Arial 10 pt. font as a minimum, single line spacing and normal character spacing), describe in detail anything needed to qualify the proposal, and contain at least the above elements.

Any annexes to the technical report that, together with the main text of the report, exceed 80 standard pages in total are not allowed.

The technical report shall bear no reference to price quotations that relate to the purpose of this tendering procedure, or other pricing information from which a price proposal can be inferred, on pain of exclusion from this tendering procedure.

A failure to produce or sign the technical report cannot be remedied and, as a result, will result in the bidder’s exclusion from the tendering procedure.

In case of a bidder not established in Italy that signs the above document by hand, a failure to submit the signatory’s identification document, or the submission of an identification document expired as on the deadline fixed for proposal/application submission may be remedied within 3 working days of a request to that effect.

* 1. **Price proposal**

The following documents shall be attached in the “Commercial Response” box of the online RFQ:

1. **[On pain of exclusion**] A price proposal form attached as Annex D hereto, to be compiled and signed digitally **(OR BY HAND FOR AN ENTITY NOT ESTABLISHED IN ITALY)** by the bidder’s legal representative or attorney-in-fact, and containing the following elements:
2. [on pain of exclusion] a percentage rebate (up to the third decimal) to be applied to the monthly fee of € 45,000.00.

**On pain of exclusion, quoting a negative value, or a value equal to zero or in excess of 100% is not allowed.**

**IN CASE OF A HANDWRITTEN SIGNATURE (WHICH IS ONLY ALLOWED FOR AN ENTITY NOT ESTABLISHED IN ITALY) THE PRICE PROPOSAL FORM SHALL INCLUDE AN ATTACHED COPY OF THE SIGNATORY’S IDENTIFICATION DOCUMENT VALID AS ON THE DEADLINE FIXED FOR PROPOSAL/APPLICATION SUBMISSION.**

The price in the proposal shall be inclusive of any other service specified in this document and the other tender documents. No additional cost (except travel, board, accommodation and local transport in Rome within the limits defined in section 1.3 above) shall be refunded by Coni Servizi as the price of the awarded contract is meant to be inclusive of all costs.

Please note that if the bidder is a temporary JV or consortium, the technical report shall be signed digitally **(OR BY HAND FOR AN ENTITY NOT ESTABLISHED IN ITALY)**:

* by the agent entity’s legal representative or attorney-in-fact, in the event of bidding as a temporary JV already set up;
* by the legal representatives or attorneys-in-fact of each of the joint venturers or consortium members, in the event of bidding as a temporary JV or ordinary consortium to be set up;
* by the consortium’s legal representative or attorney-in-fact, in the event of bidding as a consortium under art. 34, par. 1, items b) or c) of the PPC or as an ordinary consortium already set up.

In case of a bidder not established in Italy that signs the above document by hand, a failure to submit the signatory’s identification document, or the submission of an identification document expired as on the deadline fixed for proposal/application submission may be remedied within 3 working days of a request to that effect.

The following instances of noncompliance cannot be remedied and, as a result, will imply the bidder’s exclusion from the tendering procedure:

* no submission of the price proposal form;
* no submission, incompleteness or noncompliance of the digital signature certificate;
* no signature on the submitted form;
* quotation, in the price proposal form, of a negative value or a value equal to zero or in excess of 100%;
* no proposal written on the price proposal form.

**In addition to the above, the compiler is required to confirm the offered percentage rebate on screen.**

In case of a discrepancy between the rebate entered on screen and the rebate quoted in the price proposal form, the latter shall prevail.

* 1. **Online RFQ response submission**

After attaching the documentation required in the previous sections, the bidder’s response to the online RFQ shall be submitted in accordance with the Operating Instructions.

* 1. **Further notes**

The bidder’s attachment of the full documentation on the Portal and submission of its response to the online RFQ will be made at the bidder’s sole risk; as a result, no complaints will be accepted if, for any reason, one such response is not received within the deadline fixed for the proposal/application submission.

In order to avoid an incomplete submission and consequently a failure to send a response to the online RFQ, it is advisable to start the submission process well (i.e. 3 hours) in advance of the deadline fixed for proposal/application submission (which will also allow the bidder to receive suitable support from the Coni Servizi Supplier Support Service).

By following the Operating Instructions, within this time lapse, the following operations are possible on the system:

1. a change to any previously uploaded data (e.g., removal and/or attachment of new annexes);
2. cancellation of the response to the online RFQ.

Any data not uploaded to or removed from the system will not be viewed by Coni Servizi and, as result, shall be considered as not submitted.

It is the bidder’s responsibility and obligation to check, before the deadline fixed for proposal/application submission, that:

* the status of its response to the online RFQ is “posted”, and therefore formally submitted to Coni Servizi;
* a valid digital signature, where required, has been affixed on the documents uploaded to the system;
* the information given in its response to the online RFQ is complete and accurate in accordance with the instructions of the bidding documentation and annexes referenced therein.

On uploading its response, the bidder will implicitly accept the full bidding documentation, the related annexes and the replies given to any requests for clarifications.

* 1. **Changes to the Procedure**

Coni Servizi reserves the right:

1. to make any required changes and/or additions to the documents made available to bidders for the submission of their respective proposals;
2. to change the parameters of the online RFQ.

Any changes, adjustments or additions will be shown:

* in the “*Bandi/Esiti di gara ed Elenco fornitori*” (“Tender Notices/Tender Results and Supplier List”) area of Coni Servizi’s institutional website on page: <http://coniservizi.coni.it/it/coni-servizi/bandi-esiti-di-gara-ed-elenco-fornitori/bandi-di-gara.html>;
* in the “*Bandi e Avvisi in corso*” (“Current Tender Notices and Communications”) area of the Supplier Portal;
* in the “Allegati” (“Attachments”) box and/or “*Messaggi ricevuti*” box (“Inbox”) of the online RFQ for bidders having successfully completed their registration with the Supplier Portal only.

If changes, adjustments or additions are made, during the procedure, to the account of a bidder having accessed the online RFQ at least once, a message will be emailed to invite the bidder to read such changes, adjustments or additions.

A bidder registered with the Supplier Portal is under the obligation to read such changes, adjustments or additions.

If no notice or communication is sent by the bidder prior to the deadline fixed for proposal/application submission and, in any case, the bidder’s submission of its response implies that it has fully read and unconditionally accepted all of the changes, adjustments or additions made by Coni Servizi.

Following any changes made to the response boxes (“Qualification Response” and/or “Technical Response” and/or “Commercial Response”) of the online RFQ, the system will automatically abort any previously uploaded data. In that event, after changing its response if required, the bidder shall rerun the response submission process.

Any replies failing to incorporate the changes, adjustments or additions made by Coni Servizi will be excluded from the procedure.

* 1. **Proposal evaluation steps**

After the deadline fixed for proposal/application submission, the uploaded replies shall be finally acquired on the Portal and will no longer be editable. All replies will be kept within the Portal in confidential form.

In their first public session, the Board of Evaluators will access the system and check that the documents submitted by each bidder are posted in the “Qualification Response” box of the online RFQ.

The Evaluators will then proceed with a review of the documents posted in the box, behind closed doors.

At the end of the document review phase, a new public session will start during which the Evaluators will open the digital closed envelopes containing the technical proposals and check that the documents required by this specification are attached.

Subsequently, again behind closed doors, the Evaluators will proceed with a review of the documents submitted and assign scores to each technical proposal.

After the review of the technical proposals, a further public session will start during which the Evaluators will inform bidders of their evaluations and read out the scores assigned to the technical proposals of the bidders that were not excluded.

Subsequently, in the same public session, the Evaluators will open the digital closed envelopes containing the price proposals and read out the percentage rebates; next, after reviewing – again in a retreat session – the submitted proposals and assigning scores to the same as well as total scores, they will advise the price rebate scores and the total scores assigned to each bidder and determine a ranking list.

The Board of Evaluators reserve the right to perform a consistency check on a submitted proposal. In that event, it will be proceeded in accordance with art. 88 of the PPC.

Notice of any exclusion will be given through the messaging tool of the online RFQ.

On the conclusion of the price proposal evaluation and consequent assignment of price scores, the possible exclusion of a bidder will not imply the recalculation of technical and price scores.

Notice of the place, date and time of public sessions will promptly be notified by Coni Servizi through the messaging tool of the online RFQ. Public sessions may be attended by the legal representatives of the bidders concerned, or their nominees duly delegated by the above representatives.

* 1. **Causes for exclusion**

Subject to the requirements expressly specified in this Tender Specification and its annexes, it will be a cause for exclusion of bidders from this procedure, if bidders submit:

1. proposals that make reservations and/or exceptions of any kind to the terms and conditions hereof;
2. conditional proposals;
3. proposals replacing, changing and/or supplementing the terms and conditions specified in this document and the other bidding documentation;
4. incomplete and/or partial proposals;

It will also be a cause for exclusion of bidders, if they:

1. are involved in objective situations impairing a level playing field between bidders and/or the secrecy and confidentiality of proposals;
2. are involved in a scenario, as per art. 2359 of the Italian Civil Code, in which they control another bidder in the procedure, or are however related, in law or in fact, to said bidder, if the control scenario or the relation implies that proposals are attributable to a single decision-making centre (art. 38, par. 1, item m-*quater* of the PPC);
3. have failed to submit the required documents or have made any misrepresentations.

In this respect, please note that the instances of document forgery and misrepresentation:

* imply criminal penalties pursuant to art. 76 of Presidential Decree 445/2000;
* are a cause for exclusion from this tendering procedure.

In order to check that bidders’ declarations are true, Coni Servizi reserves the right to proceed with routine clerical checks or random checks on the documentation.

* 1. **Contract awarding, requirements to be met by the awardee and final check on awardee's compliance**

By a notice sent pursuant to art. 79, par. 5, item a) of the PPC, Coni Servizi will request the bidder that was awarded the contract to send, through the messaging tool of online RFQ, the following documentation:

1. **within a rolling period of 5 calendar days from a request to that effect:**
2. a declaration written on the form attached as Annex B hereto, signed (either digitally or by hand) by the signatories specified in art. 85 of Legislative Decree 159/2011 together with copies of the signatories’ valid identification documents.

Said declaration shall also be made and signed digitally by the above signatories of:

* (in case of a resource pool) the resource provider;
* (in case of a consortium or consortium company) the consortium members with a controlling interest in excess of 10%, the consortium members with a controlling interest of less then 10%, which however have entered into a members’ agreement associated with a controlling interest equal to or in excess of 10%, the consortium or consortium company members on behalf of which the consortium or consortium company exclusively operates with the public sector.

1. **within a rolling period of 10 calendar days from a request to that effect:**
2. the documentation providing proof of the technical and economic resources required for bidding:

a.1) in respect of the aggregate overall sales requirement:

1. a declaration made, pursuant to art. 47 of Presidential Decree 445/2000, by the controller or controlling body of the entity, if applicable (a Statutory Board of Auditors, an auditor or an auditing firm as the case may be), together with a copy of the signatory’s identification document, which declaration shall certify the overall sales amount declared in the Application to take part in tender and single declaration;

or

1. a copy of the financial reports, including annexes, for the financial years specified in section 3 item B) hereof;

a.2) in respect of the aggregate service-specific sales requirement:

1. a declaration made, pursuant to art. 47 of Presidential Decree 445/2000, by the controller or controlling body of the entity, if applicable (a Statutory Board of Auditors, an auditor or an auditing firm as the case may be), together with a copy of the signatory’s identification document, which declaration shall certify the service-specific sales amount and the type of service (invoice description) declared in the Application to take part in tender and single declaration;

or

1. a copy of the financial reports, including annexes, for the financial years specified in section 3 item B) hereof, with a clear mark on the section of those documents that bears reference to the service-specific sales amount and the type of service (invoice description) declared in the Application to take part in tender and single declaration;

or

1. one or more certificates issued and endorsed by public contracting entities or declarations from private individuals attesting that services similar to those of this tender were regularly provided in the three years preceding the date of publication of the tender notice, with the indication of their amounts and dates, for an overall amount, net of VAT, not below the amount specified in section 3 item C) subitem 1 above;

a.3) in respect of the technical capacity requirement under section 3, item C), subitem i) above:

1. a certificate issued and endorsed by public contracting entities or a declaration from a private individual attesting that the service declared in the Application to take part in tender and single declaration was regularly provided, with the indication of its amounts and dates;

or

1. a copy of the contract declared in the Application to take part in tender and single declaration together with a copy of the related performance reports for the amounts declared in the same application form;

Please note that if the requirements met by the bidder are in excess of those specified in section 3 above, proof of the minimum specified requirements will suffice.

1. unless they were already produced at the time of bidding, the “Dedicated bank or postal current account” and “Supplier data sheet”” forms (needed to fulfil all the tracing requirements for financial flows prescribed by art. 3 of Law no. 136/2010 as subsequently amended and supplemented) duly completed and signed digitally (or by hand) by the bidder’s legal representative or attorney in fact;
2. a final guarantee deposit of 10% of the contractual amount;

The guarantee deposit can take the form of a bank or insurance bond or be issued by a financial intermediary registered in the official list under art. 106 of Legislative Decree no. 385 of 1 September 1993, exclusively or predominantly operating as guarantee issuer, and duly audited by an auditing firm registered in the official list under art. 161 of Legislative Decree no. 58 of 24 February 1998.

The guarantee shall expressly provide for a waiver of the right to enforce prior payment by the principal debtor, a waiver of the exception under art. 1957, par. 2 of the Italian Civil Code, and the possible enforcement of the guarantee within 15 days on a mere written demand from Coni Servizi.

**The guarantee shall be produced** in the form of a digital document bearing the digital signature of the person with delegated powers to commit the guarantor, with the following documents attached:

* 1. a self-declaration made pursuant to articles 46 and 76 of Presidential Decree 445/2000 and digitally signed by the guarantor, whereby the signatory declares having the powers to commit the guarantor,

or,

* 1. the notarial legalisation of the above guarantee, in the form of a digital document, made and digitally signed by a notary public.

If the person with delegated powers to commit the guarantor does not have a digital signature certificate, scanned copies of the original paper documents specified above can be produced together with a copy of the guarantor’s identification document, as well as an attached declaration of “copy true to the original” made and digitally signed by a notary public or another public official authorised for that purpose.

**FOR BIDDERS NOT ESTABLISHED IN ITALY, THE SUBMISSION OF A FINAL GUARANTEE IN PAPER FORM IS ALLOWED, IN WHICH CASE THE ORIGINAL COUNTERPART OF THE GUARANTEE SHALL BE SHIPPED BY EXPRESS COURIER TO THE ADDRESS THAT WILL BE ADVISED IN THE AWARD NOTICE.**

1. in case of a temporary JV already set up, unless it was already produced at the time of bidding, a copy of the special, irrevocable collective power of representation given to the lead joint venturer with the specific indication of the percentages of services to be provided by each of the joint venturers, as specified in Annex A;  
   [*translator’s note: the numbering of these paragraphs starts again from b) in the original*]
2. in case of an ordinary consortium already set up, unless it was already produced at the time of bidding, a memorandum of association of the consortium;
3. **FOR ENTITIES NOT RESIDING AND WITHOUT A PERMANENT ESTABLISHMENT IN ITALY, A LETTER OF APPOINTMENT, TO BE COMPILED IN THE FORM PROVIDED BY LAW, OF A TAX REPRESENTATIVE WITHIN THE MEANING OF ART. 17, PAR. 2, AND ART. 53, PAR 3, OF PRESIDENTIAL DECREE NO. 633/72**;
4. any other document deemed useful for the contract execution.

On the expiry of the above term(s), Coni Servizi will check if the documentation produced is complete and accurate in both its form and substance.

Following a failure to produce the documentation providing proof of the specified requirements, or if the requirements declared as ‘met’ are not confirmed by the support documentation produced, it will be proceeded in accordance with art. 48, par 1, of the PPC.

On the expiry of the above term(s), if the above documentation is not received or is incomplete and inaccurate in both its form and substance, Coni Servizi reserves the right to fix an ultimate deadline to cure such noncompliance, after which it will proceed with a revocation of the award.

The execution of the contract is subject to a review of the general requirements declared as per art. 38 of the PPC, as a result, if the contract awardee is found not to meet the prescribed requirements, Coni Servizi will proceed with a revocation of the award.

In the event of an award revocation, Coni Servizi will select another awardee on the basis of its compiled ranking list, without prejudice to its right to claim damages from the entity from which the award was revoked.

* 1. **Contract execution**

After receiving the required documentation from the awardee and after all routine checks, it will be proceeded with the execution of the contract for the service hereof.

Said service shall be awarded by the formal execution of a contract, that will take the form of a private contract, not notarised and not subject to registration, on the day fixed by Coni Servizi. The contract will only be subject to registration in one of the circumstances of enforcement provided for by art. 5. of Presidential Decree 131/1986 as subsequently amended and supplemented, and registration costs will be charged to the awardee.

All costs associated with contract execution (if applicable) will also be charged to the awardee.

1. **Additional provisions**

Coni Servizi reserves the right not to award the contract if only one proposal is found valid.

If no proposal is found cost-effective or suitable for the purposes hereof, Coni Servizi will also be entitled not to proceed with the award of the contract, or not to execute the contract, if it was already awarded.

Coni Servizi also reserves the right to initiate negotiations with the first awardee in the ranking list in order to fine-tune its submitted proposal.

A submitted proposal will bind the bidder for 180 days running from the deadline fixed for proposal/application submission, save for any extensions requested by Coni Servizi.

Coni Servizi may also exercise the rights under art. 140 of the PPC in case of bankruptcy or compulsory winding up and arrangement with creditors of the contractor, or in case of contract termination pursuant to articles 135 and 136 of the PPC, or withdrawal from the contract pursuant to art. 92, par. 4 of Legislative Decree 159/2011.

A submitted proposal will not be binding on Coni Servizi. Any commitments are meant to be only assumed by and between the parties on the execution of the contract.

If the declared best bidder waives the award of the contract, Coni Servizi reserves the right to take legal action against the same for compensation of any damage or loss caused.

Coni Servizi reserves the right not to initiate the tender or to suspend or revoke it at any time, in which case Coni Servizi will give notice of such decision to all bidders, and the bidders will not be entitled to make any claim in that regard.

The conduct of the tendering procedure amounts to no obligation binding Coni Servizi to award the contracted services in full or in part, and bidders, including the awardee will not be entitled to any compensation, remuneration, refund or indemnity for the submission of their respective proposals.

Coni Servizi shall refund no cost or expense, even in the event of a cancellation.

All costs associated with the preparation and submission of proposals/bidding applications shall be paid by bidders.

1. **Settlement of disputes**

Any and all disputes arising from the contract shall be referred to the Courts of Rome as the courts of competent jurisdiction. Arbitration is hereby expressly excluded.

1. **Personal data processing**

Kindly refer to the following webpage:

http://coniservizi.coni.it/images/Informativa\_clienti\_e\_fornitori-2015.pdf

The Chief Executive Officer

Alberto Miglietta