



Rimini, 19/12/2024

PUBLIC CALL FOR PROPOSALS BY MEANS OF TELEMATIC PROCUREMENT PLATFORM ACQUISTI TELEMATICI FOR THE ACQUISITION OF EXPRESSIONS OF INTEREST RELATING TO THE AWARDING OF PR&MR AGENCY, COMMUNICATION, AND PRESS OFFICE SERVICES FOR THE EMILIA ROMAGNA TOURIST DESTINATION FOR AND IN THE GERMAN-SPEAKING MARKETS (DACH: GERMANY, AUSTRIA, SWITZERLAND)

**NEGOTIATED PROCEDURE PURSUANT TO ART. 50, PARA. 1, LET. E),
OF LEGISLATIVE DECREE NO. 36/2023**

Notice is hereby given that Apt Servizi s.r.l., contracting authority with registered office in Bologna, Viale Aldo Moro n. 62 and operational office in Rimini, Piazzale Federico Fellini n.3, P.I./C.F. 01886791209, website www.aptservizi.com; PEC (certified email) bandi@pec.aptservizi.com, basing on the requirements of the “2025 Plan – Executive proposals for marketing and tourism promotion projects of prevailing interest for international markets”, with determination no. 179 of 10/12/2024 has called for a negotiated procedure, pursuant to Art. 50, para. 1, let. e), of Legislative Decree No. 36/2023 (hereinafter “Code”), for the assignment of the service indicated below.

Pursuant to Arts 25 and 26 of the Code, the awarding procedure shall be carried out by means of the telematic platform Acquisti Telematici (<https://aptservizi.acquistitelematici.it/>) through which the call for expressions of interest, the selection of the economic operators, the invitation to the negotiated procedure, the submission of bids, their verification and evaluation, the awarding of the contract, as well as any kind of communication and information exchange, all as detailed in this notice, shall be published and managed.

The Economic Operator aiming at sending an expression of interest must be registered on the telematic platform Acquisti Telematici (<https://aptservizi.acquistitelematici.it/>).

The main information on the awarding procedure is given below:

Contracting authority:

APT Servizi srl

Subject matter and subdivision into lots:

PR&MR agency, communication, and press office service for and in the German-speaking markets (DACH: Germany, Austria, Switzerland).

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The services to be entrusted will be detailed in the technical specifications annexed to the letter of invitation to the negotiated procedure, which will be sent to those economic operators meeting the requirements set out in this notice, who have submitted expressions of interest no later than the deadline set out below.

The contract consists of a single lot, as it is characterised by a close correlation of the services such that there are no reasons of economic convenience and efficiency that would justify dividing them into functional lots.

Duration of the contract:

The contract will run for twelve months from the signing of the contract.

There shall be one (1) renewal option for a duration of twelve months at the same regulatory and economic conditions, subject to possible price revisions to be considered pursuant to Art. 60 of the Code.

Amount of entrustment:

The total amount of the assignment subject of this procedure, calculated pursuant to Art. 14, para. 4 of the Code, is € 160,000.00 (one hundred sixty thousand/00 Euros), plus VAT.

The tender amount includes labour costs that the contracting authority has estimated at € 25,500.00 per year, basing on the estimated hourly employment of personnel required to perform the service, on the historical data in the possession of the Administration and taking the CCNL Marketing as a reference.

Labour costs are deducted from the amount of the bid, but it remains possible for the economic operator to prove that the overall lower bid derives from a more efficient business organisation.

The service will be performed outside the contracting authority's office and will be carried out exclusively by personnel of the successful tenderer, not employed by the contracting authority. The safety costs (costs of preventive and protective measures against interference risks contained in the DUVRI) - are therefore € 0.00 (zero).

Eligible subjects:

Economic operators identified in Article 65 of the Code and in accordance with the provisions set out in the above-mentioned article are allowed to participate in the expression of interest (individually and in associated/aggregated forms), provided that they meet the requirements set out in the following articles.

The provisions of Arts 67 and 68 of the Code apply to entities formed in an associated/aggregated form.

Pursuant to Art. 68, para. 1 of the Code, the participation of parties intending to join together, or form consortia as referred to in Art. 65, para. 2, lett. d) and e) of the Code is also permitted, in accordance with the provisions therein.

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In the event of participation of economic operators interested in joining together in a Temporary Grouping of Economic Operators or interested in forming a consortium, a declaration of commitment must be submitted in which all the interested parties that will form the Grouping or Consortium declare that, in the event of award, they will form the Grouping or Consortium with the indication of the subject identified as the representative/head of the group, to which a special collective representation mandate will be given.

Pursuant to Art. 68, para. 12 of the Code, the participation in the tender of competitors in more than one group or ordinary consortium, or individually if they participate in the tender as a group or ordinary consortium, results in their exclusion if the prerequisites set forth in Article 95, para. 1, letter d) of the Code are fulfilled, unless the economic operator proves that the circumstance did not affect the tender, nor is capable of affecting the ability to fulfil contractual obligations.

Pursuant to Art. 68, para. 15 of the Code, association in participation is prohibited both during the procedure and after the awarding.

Modification of consortia and groupings is admissible under the terms of Art. 68, para. 17 and Art. 97 of the Code.

Pursuant to the last sentence of Art. 67, para. 4 of the Code, participation in the tender in any other form by the consortium member designated by the bidding consortium results in the exclusion of the latter if the prerequisites set forth in Article 95, para. 1, letter d) of the Code are fulfilled, unless the economic operator proves that the circumstance did not affect the tender, nor is capable of affecting the ability to fulfil contractual obligations, without prejudice to the option set forth in Article 97 of the same Code.

Participation requirements:

Under penalty of exclusion, interested parties must possess the requirements listed below, to be documented as indicated, it being understood that the submission of the expression of interest in accordance with this notice does not constitute proof of possession of the general and special requirements, which must instead be ascertained during the procedure.

General requirements

1) Fulfilment of the requirements of Arts 94 and 95 of the Code

The declarations pursuant to Arts 94 and 95 of the Code may be made by the legal representative both for himself/herself and in the name and on behalf of all subjects required to do so, pursuant to para. 3 of Art. 94 of the Code, in order to simplify and reduce the participants' documentary burden.

Special requirements

2) Requirements of professional suitability

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Registration in the Business Register of the Chamber of Commerce for relevant activity even if not corresponding to that of the object of the services/supplies, pursuant to Art. 100, para. 1, lett. a) and para. 3 of the Code.

3) Requirement of technical and professional expertise

Given the specific nature of the service and the objectives that APT Servizi pursues with the project to be entrusted, it is required to have adequate technical training and many years of work experience, especially having performed services similar to those covered by this procedure for public administrations, public bodies, joint ventures and/or companies in the three years preceding the date of publication of this notice.

Proof of possession of the professional and technical requirements will **have to be documented** and will take place after the awarding of the contract.

Guidelines for temporary groupings, ordinary consortia, network enterprise aggregations, EEIGs

The persons referred to in Art. 65, para. 2, lett. d), e), f) and g) of the Code must meet the participation requirements as set out below.

The rules provided for temporary groupings apply to groupings of enterprise networks, ordinary consortia and EEIGs, since they are compatible.

The requirements of professional suitability, as well as the general requirements, must be met by:

- each group of companies or consortium or EEIG
- each of the enterprises joining the network contract if indicated as executors and by the network itself if it has legal personality.

The groupings of economic operators must indicate the percentages of the services to be performed by each company.

Guidelines for consortia of cooperatives and craft enterprises and stable consortia

The consortia referred to in Art. 65, para. 2, lett. b) and (c) of the Code must meet the participation requirements as set out below.

The general requirements and the requirements of professional suitability must be met by the consortium and the consortium members indicated as executors.

How to participate

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Those registered on the platform will have to submit their expression of interest:

no later than 12 noon on 15/01/2025

Interested parties must submit their request to be invited to the next stage of the tender procedure by sending, in the manner and by the deadline provided in this notice, an invitation request, digitally signed by the legal representative of the economic operator or by another person with appropriate powers, which must include:

1. a declaration in lieu (using the declaration form “Annex A”), pursuant to Presidential Decree No. 445/2000, by the legal representative of the economic operator or by a person with appropriate powers (in this case the application must be accompanied by appropriate documentation proving the office and powers of signature of the undersigned) in which the economic operator declares:
 - a. the form of participation in the procedure and, in the case of a grouping, whether constituted or being constituted, the indication of the mandated company and the mandated company(ies), pursuant to Article 68 of the Code as well as, in the case of a consortium, the indication of the executing consortium company(ies);
 - b. in the event of recourse to the avilment referred to in Article 104 of the Code, the indication of the auxiliary company(ies);
 - c. the name(s) (with title, date of birth and place of birth) of the persons listed in Article 94(3) of the Code;
 - d. that it does not fall under any of the conditions laid down in Articles 94 and 95 of the Code;
 - e. possession of the requirement of technical and professional capacity;
 - f. the certified mail address at which to receive all subsequent communications (for foreign operators ordinary e-mail address)

Requests will not be considered:

- if submitted in other forms than the expression of interest (see Annex A)
- if not submitted via the telematic procurement platform Acquisti Telematici

Selection of participants and award criteria

The Administration will invite to the next stage of this procedure at least 5 (five) economic operators, identified among those who have validly submitted expressions of interest by the deadline and according to the procedures described in this notice and who meet the participation requirements.

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Should more than 5 expressions of interest be received, all economic operators who meet requirements and who have expressed their interest in accordance with the procedures and deadlines set out in this notice will be invited to the next stage of the procedure.

Should fewer than 5 expressions of interest be received, the Administration will invite to the next stage of the procedure all the economic operators who meet the requirements and who have expressed their interest in accordance with the procedures and deadlines set out in this notice.

The Administration reserves the right to award the contract for the current procedure even in the presence of only one valid offer, if the same is consistent and profitable for the Administration.

Award criteria

Pursuant to Art. 50, para. 4, and Art. 108, para. 1 of the Code, the awarding will be made according to the criterion of best value for money, basing on technical and economic parameters with the following weighted scores:

- Quality: Maximum score 90 points
- Price: Maximum score 10 points

Clarification

Pursuant to Art. 25 of the Code, any additional information and/or clarification on the content of this notice for the expression of interest may be requested via the telematic procurement platform Acquisti Telematici.

It is possible to ask for explanations on this procedure by submitting written queries via the *Send Query* function in the “Details” section of the procedure, after registering, **no later than 12 noon on 13/01/2025**.

Telephone clarification is not permitted.

It is possible to ask for **technical assistance on the use of the platform** in the ways indicated in the appropriate section on the platform (after logging in), in particular **by opening tickets** or via telephone (waiting for an operator's reply, after all recorded messages and the invitation to use other channels) at the following numbers 0704640438 - 0704632037 - 0704637341 - 0707966250 (available from Monday to Thursday from 9 a.m. to 4 p.m. and on Fridays from 9 a.m. to 3 p.m.).

The person in charge of this procedure is Ms Simonetta Monti, who declares the absence of conflict of interest as regards the current procedure pursuant to Art. 6 bis of Law No. 241/90 and Measure MG of the current 2024-2026 PTPCT.

This notice is published on the telematic procurement platform Acquisti Telematici and on the institutional website www.aptservizi.com in the section Bandi di gara and Richiesta di offerta.

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INFORMATION ON THE PROCESSING OF PERSONAL DATA:

We inform you that the personal data processed as part of this procedure are carried out in compliance with national and European laws on the protection of personal data. The data controller is APT Servizi srl to which you may apply to exercise your rights by writing to privacy@aptservizi.com or contacting the Data Protection Officer (DPO) dpo@aptservizi.com.

Full information available at www.aptservizi.com/azienda/privacy/.

The RUP (Tender Specialist)

Simonetta Monti

(digitally signed)

Attachments:

- Expression of interest - Annex A
- OE Platform Registration Manual

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