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IN THE MEDITERRANEAN



**STAZIONE ZOOLOGICA ANTON DOHRN
VILLA COMUNALE
80121 NAPLES**

Tender regulations for

Supply and support with installation of oceanographic buoys, for automatic measurement of meteo-marine parameters, using a system for control, management and remote data transmission.

Lot 1: Tender Identification Code 635699670C

Lot 2: Tender Identification Code 6357002BFE

Unique Project Code: C63J13001100005

1) Term, address for receipt and tender submission procedure

Bids must be submitted, under penalty of exclusion, no later than 12:00 on 14.09.2015, at Stazione Zoologica A. Dohrn, Ufficio Protocollo (primo piano) [*Registrar's Office (first floor)*], Villa Comunale No. 1, 80121, Naples (ITALY).

Bids must be provided in a correctly closed package, countersigned on the closing flaps.

In addition to the name and postal address of the tenderer, the package must be marked "*Selection for supply and support with installation of oceanographic buoys, for automatic measurement of meteo-marine parameters, using a system for control, management and remote data transmission.*"

The package must be sent by registered mail with acknowledgement of receipt, by private courier, by a duly authorised delivery company, or hand-delivered by a representative of the tenderer (only in the latter case shall be a special receipt be issued, indicating the time and date of delivery).

Dispatch of the package containing the bid is at the full and exclusive risk of the sender. Stazione Zoologica shall be excluded of any liability if, due to postal or other errors, or for any reason, the package is not delivered to the recipient's address by the specified final deadline.

Packages received after the aforementioned deadline, even delayed as a result of circumstances beyond the tenderer's control, and even if sent before the deadline, will not be opened. This also applies to packages sent by registered mail with acknowledgement of



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receipt, for which the date of receipt by the receiving Agency shall be deemed valid, not the date on the postmark. Such packages will not be opened and will be treated as not delivered. On penalty of exclusion, the package must contain the following envelopes, closed and sealed on the closing flaps:

a) Envelope A, which must be marked with the wording *“Application for participation and documentation.”* It must be indicated on the envelope containing the application for participation whether the application relates to a single lot or both lots.

b) Envelope B, which must be marked with the wording *“Revised Bid for Lot no. 1”*.

In the event that the tenderer wishes to submit a bid also and/or only for Lot 2 in the package, **envelope B1** must also be inserted, which must be marked with the wording *“Revised Bid for Lot 2”*

c) Envelope C, which must be marked with the wording *“Financial Bid for Lot no. 1”*.

In the event that the tenderer wishes to submit a bid also and/or only for Lot 2 in the package, **envelope C1** must also be inserted, which must be marked with the wording *“Financial Bid for Lot 2”*

In envelope A “Application for participation and documentation” shall be inserted:

a1) the application for participation, preferably prepared in accordance with Annex Model A, must indicate the name of the tenderer (name, place, tax number, certified electronic mail (PEC) address, e-mail address, telephone and fax) and must state whether the tenderer is taking part in the tender only for one lot or for both lots and, in accordance with the provisions of Presidential Decree No. 445/2000, must make a declaration stating the general requirements, the lack of grounds for exclusion referred to Article 38 and the economic and financial standing and technical ability referred to in the invitation to tender (with the exception of the bank references as indicated below).

The tenderer shall submit its application for participation using the facsimile form which is attached to subsection a).

The abovementioned declarations must be made by the tenderer participating as the individual company and, in case of a temporary grouping or consortium, by each company participating in the temporary grouping or the consortium, with each declaration made by the entity specified in Article 38 to which reference should be made.



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a2) bank references must be provided by at least two banks or authorised intermediaries, pursuant to Legislative Decree No. 385/1993 that demonstrate that the company has always regularly and punctually met its commitments, in accordance with the provisions of Art. 41, paragraph 1 letter a) of Legislative Decree No. 163/2006, and subsequent modifications and integrations. References must be made by the tenderer that participates as a individual company. In case of a temporary grouping or consortium, they must be made by each company belonging to the grouping/consortium.

a3) the draft contract signed on each page for approval and acceptance

a3) the Technical Specifications signed on each page for approval and acceptance

a5) the Provisional Security referred to in paragraph III.1.1 of the notice

a6) the commitment referred to in paragraph III.1.1) of the notice to release the final guarantee deposit referred to in the aforementioned paragraph. III.2.3 No. 1 of the invitation to tender executed by the tenderer during the five-year period from 2009 - 2014. The following must be indicated for each contract in the declaration: the name and address of the instructing party; the contract date; the object of the contract; the place of execution and installation; the amount generated by the contract; the regular execution of the contract.

The declaration must authorise Stazione Zoologica to request confirmation of the information given to the indicated contractors.

a7) in the case of a grouping, under Art. 49 of Legislative Decree No. 163/06:

a) the applicant must insert a statement verifying the pooling of the requirements for participating in this tender, specifically indicating the auxiliary company.

b) the auxiliary company must insert:

- A statement made in the form and according to the procedure referred to in Presidential Decree 445/2000, certifying the general requirements referred to in Article 38 of Legislative Decree No. 163/2006 and possession of the technical requirements and resources subject to pooling.

- a statement in which the tenderer and the contracting authority agree to provide, for the entire duration of the contract, the necessary resources lacked by the tenderer

- a statement certifying non-participation in the tender on its own or in an association or consortium, in accordance with Article 34 of Legislative Decree No. 163/2006



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- original or certified copy of the pooling contract

The contract must clearly state the resources linked to the requirements provided by the auxiliary company, in order to allow the contracting authority to verify the adequacy of those resources in relation to the contract to be executed.

In the case of pooling against a company that belongs to the same group, in place of the contract, the declaration referred to in subparagraph g) of Article 49 of Legislative Decree No. 163/2006 shall be submitted.

a8) a statement made in the form referred to in Presidential Decree No. 445/2000, by which the tenderer certifies that products used to manufacture the buoys are made by specialist companies, in EU member states, in a partner state of the European Neighbourhood and Partnership Instrument (ENPI), Instrument for Pre-Accession Assistance (IPA), or European Economic Area (EEA).

a9) documents certifying the payment of the €20.00 in ANAC contributions, in case of participation in Lot 1 (Lot 2 is exempt), as approved by the National Anti-Corruption Authority on 09.12.2014 “Implementation of Art. 1, paragraphs 65 and 67, of Law No. 266 of 23.12.2005, for the year 2015.” Payment must be made according to the “Instructions relating to the contributions due, under Art. 1, paragraph 67, of Law no. 266 of 23.12.2005, from public and private entities, in force since 1 January 2014,” issued by the Authority. It should be noted that the Tender Identification Code assigned by the Authority in this procedure is **635699670C**.

For convenience - without prejudice to tenderer’s specific responsibility to directly check the National Anti-Corruption Authority’s website before payment is made – it should be noted that the payment must be made using one of the following methods:

- online, using Visa, MasterCard, Diners, or American Express credit cards
- in cash, using the payment form issued by the payment collection service, at any establishment belonging to the network of tobacconists entitled to sell lottery tickets, where utility bills and payments can be processed (Note that at <http://lottomaticaservizi.it>, the “Cerca il punto vendita più vicino a te” [*find an establishment near you*] function is available. The “AVCP Contribution” item can also be activated, among the research categories).



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It should be noted that to make the payment, irrespective of the mode of payment used, it will be necessary to register online for the new “Servizio di Riscossione” [*Recovery Service*], accessible from the website’s homepage, (even in the case of those already registered for the old service).

- Only foreign economic operators will be able to pay by international bank transfer, to bank account number 4806788, opened at Monte dei Paschi di Siena (IBAN: IT77 0 01030 03200 0000 04806788), (BIC PASCITMMROM), payable to the Authority for the Monitoring of public contracts for works, services and supplies. The description of the payment must only include the identification code used for tax purposes in the country of residence or registered offices of the tenderer and the Tender Identification Code identifying the tender in which the tenderer intends to participate.

As proof of payment, the applicant must attach the following:

- If payment is made by credit card, the scanned image of the receipt of payment must be printed and then sent via the system to the e-mail address provided during registration, attached as an annex to the bid
- when payment is made in cash, the original receipt issued by the establishment must be scanned

In both cases, the file name of the payment receipt must be of the type 08.Nomeconcorrente.VersamentoANAC.pdf. A digital signature is not required on this document.

In the event of payment by international transfer, the transfer receipt must be attached in original form to the bid.

a10) the “PASSOE” document released after the service registration AVCPASS (<https://www.avcp.it/idp-sig/>) and the Tender Identification Code must indicate the procedure in which the tenderer intends to participate.

In envelope B “Full bid for Lot no. 1” and/or in envelope B1” Revised bid for Lot no. 2,” the following must be inserted:

LOT 1:

a) a report with a maximum of 5 sides, in A4 format, in which the economic operator describes the full bid with the technical specifications as indicated in the special conditions,



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and describes the types of sensors and instruments proposed, also identifying the manufacturer.

a1) a brief summary of the bid referred to in relation to subparagraph), preferably prepared in accordance with Form B - Lot 1, attached to these tender regulations.

LOT 2:

b) a report with a maximum of 5 sides, in A4 format, in which the economic operator describes the total bid with the technical specifications as indicated in the special conditions, and describes the types of sensors and instruments proposed, also identifying the manufacturer.

b1) a brief summary of the bid referred to in relation to subparagraph), preferably prepared in accordance with Form B - Lot 2, attached to these tender regulations.

Safety clause: in the following event

In the event that the tenderer should submit a bid for only one lot, the aforementioned reports and the facsimile must refer exclusively to the lot for which the tenderer is bidding.

In envelope C “Financial bid for Lot No. 1 “and/or Envelope C1” Financial bid for Lot No. 2,” in the event that the tenderer is participating in both lots, the following must be inserted:

a) a declaration signed by the legal representative of the tenderer and, in the case of a grouping/consortium, the legal representative of each of the participating companies on the incorporation of the grouping/consortium, or by the specially instructed representative of each tenderer (in which case a certified true copy of the special power of attorney must be attached), preferably prepared according to the attached **Form C - Lot 1 and/or Form C - Lot 2**, in which the price fixed by the tenderer, indicated in letters and figures, must be lower than the basic contract value for the lot to which the tender relates, to the net of security costs, and the corresponding amount, again to net of security costs.

The tenderer must indicate the amount of internal security costs that shall be determined by the tenderer that are included in the contract price.

The financial bid shall be made using the “Financial Bid Lot 1” and “Financial bid Lot 2” facsimiles attached.

2) Examination of administrative documentation, the technical and financial bids



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and related criteria

The examination of the administrative documentation and technical and financial bids shall be referred to a special commission.

The commission will meet in public session at the registered offices of the contracting authority on 15.09.2015 at 14:30 and the legal representatives of the tenderers or other entities will provide assistance, authorised with special powers, with one representative allocated to each tenderer. The commission will open the packages received, and then open the envelopes starting with envelope A, checking their content and, where the requirements of Art. 46 paragraph 1 of Legislative Decree No. 163/2006 are applicable, shall invite tenderers to provide further information and explanations. Additionally, it shall require further information and explanations after application of the penalty provided for in the invitation to tender, in the cases referred to in Art. 38, paragraph 2-*bis*.

If the conditions described in Art. 46, paragraph 1-*bis* of Legislative Decree No. 163/2006 are applicable, it shall adopt measures of exclusion.

Before the opening of the technical bids, if the conditions referred to in Art. 48 are applicable, it shall proceed by drawing lots and with the checks required by law.

Additionally, at the same public session, or at another public session held for this purpose, the commission will open envelopes B and B1 containing the revised bids and verify formal compliance with the requirements of the invitation to tender.

In private session, the commission will then examine the assessment of revised bids before examining and assessing the revised bids relating to Lot 1 and then, having completed its review, will examine the assessment of revised bids for Lot 2 and will attribute the corresponding points based on the criteria set out in the invitation to tender and these tender regulations.

In public session, which will be notified via e-mail or the certified electronic mail (PEC) address indicated by the tenderer on the application for participation form, the commission will read the points awarded for the technical bids and open the envelopes containing the financial bids.

It will first open envelope C and then envelope C1.

The commission will certify the formal regularity of the financial bid and will then read it.



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The commission will then award points for the price item, based on the formula indicated in the invitation to tender.

The commission will then draft the list for Lot 1 and for Lot 2.

3) Verification of irregularity

The contracting authority will evaluate the adequacy of tenders in relation to which both the points relating to the price and the sum of the points relating to other factors are equal to or greater than 4/5 of the corresponding maximum points required for the invitation to tender.

The contracting authority reserves the right to assess the suitability of each bid which, on the basis of specific items, also obtainable from the technical bid, appear abnormally low.

4) Verification of the requirements under Art. 48 of Legislative Decree No. 163/2006

Documents proving the possession of the general, technical, organisational, financial and economic requirements for participation in this procedure must be acquired through the national database for public contracts, established by the Authority under Art. 62 of the Code of Digital Administration, referred to in Legislative Decree No. 82 of 07.03.2005 and accordingly the AVCPASS system shall apply. For checks that cannot be carried out using this system, the other provisions referred to in Legislative Decree No. 163/2006 and Presidential Decree No. 207/2010 shall apply.

Tenderers must register with the AVCPASS service and after accessing the appropriate area dedicated to them must insert all the aforementioned declarations in the system.

Information on registration for the abovementioned service may be obtained from:
<https://ww2.avcp.it/idp-sig/>.

5) Award and conclusion of contract

The signing of the contract shall take place after the checks referred to in point 4).

The contracting authority reserves the right to proceed with the early handover of the supply.

6) Communications

Communications, including those referred to in Art. 79 of Legislative Decree No. 163/2006 shall be sent to the tenderers' e-mail addresses and/or PEC addresses provided by them in the application form.

7) Questions - Message Area



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Any questions/requests for explanations in relation to this procedure must be formulated within 6 days before the deadline for submission of bids and sent via e-mail and/or PEC mail to salvatore.orfano@szn.it or salvatore.orfano@cert.szn.it.

Naples, 04.08.2015

The Chairman
Prof. Roberto Danovaro