

PROT. 49/2020

Genoa, 15/01/2020

SUBJECT: Open call for tenders for the provision of expert consultancy services as part of the IPCOEA international project – CIG: 8173497718

Whereas

FAIMM took part in the call of proposal EuropeAid/138266/IH/ACT/Multi and was awarded a contract for the implementation of the project IPCOEA "Improvement of Port's Custom and Operation Efficiency in Africa", entered into with the ACP Secretariat and financed by the European Union (hereinafter referred to as "the project")

The project includes the organisation of training initiatives regarding the implementation of the "Maritime Single Window" in the West Africa coastal states belonging to the ECOWAS.

The project requires a team of 4 or more technical experts to be mobilised in order to ensure the implementation of the following initiatives:

- **Missions in Africa for cooperative development with the final beneficiaries of the training program**
- **Work at the FAIMM headquarters for the development of the training program**
- **Missions at the premises of the local partner "Académie Régionale des Sciences et Techniques de la Mer", located in Abidjan, Ivory Coast, for the implementation of a Training program that will have an estimated duration of 7 weeks**
- **Missions at seven West Africa harbours for the implementation of short training programs, no more than 5 days long.**

The General Director of FAIMM, Ms. Paola Vidotto, announces an open procedure, with the publishing of a call for tenders (pursuant to art. 60 of L.D. 50/2016) for the provision of expert consultancy services as part of the IPCOEA international project.

It should be noted that the publishing of this call for tenders on the website of FAIMM meets the publication and transparency requirements provided for by the relevant regulations.

TENDERING RULES

1) Commissioning body

FONDAZIONE ACCADEMIA ITALIANA DELLA MARINA MERCANTILE - Via Oderico 10, 16145 Genova – website www.accademiamarinamercantile.it

2) Subject of the Service

The subject-matter of the contract is the provision of specific technical expertise for the development and organisation of a training program regarding the implementation of "Maritime/Port Single Windows" for personnel working in ECOWAS coastal states harbours, through the provision of experts that shall be used as part of the IPCOEA project.

3) Service specifications

FAIMM intends to entrust specific experts with a part of the *capacity building* activities provided for by the IPCOEA project, namely:

Activities related to work package 2-Capacity Building:

- Development of a medium-term training plan and of materials for 20 beneficiaries, including the participation in meetings in Lagos and Abidjan, as well as 6 one-day collaboration Forums in the target harbours of the region
- Delivery of the medium-term training over a 7-week period
- Provision of support and consultancy to local professionals for the development of short-term training sessions that shall be organised at their harbours
- Deployment of missions as required by the project, for the delivery of short-term training at the local harbours

Activities related to work package 3 of the project - Capitalisation

- Provision of support for the development of a subsidy system aimed at allowing the execution of small-scale actions for the implementation of a Maritime single window in 7 local harbours
- Provision of support for the assessment of the proposals and the implementation of the actions.
- Provision of support for the modelling and development of e-training with reference to the activities included in work package 2.

The Experts shall carry out their work as an integral part of the project staff of Accademia Italiana della Marina Mercantile, in their capacity as “in-house” consultants. The work procedures shall be defined in the Reference terms (Annex 4)

Payment to the contractor is subject to the submission of time-sheets by the experts.

The reference terms define the required professional roles and provide an estimate of the man days expected for each expert.

The contractor is free to propose any changes to the man day distribution, as well as to the allocation of man days to further professional roles in addition to the 4 key experts, according to its working bid.

In any case the number of man days shall not be smaller than 300 and the number of man days for each expert shall not be smaller than 60.

4) Place of supply

Premises of the IPCOEA project beneficiaries located in Genoa (Italy) and harbour facilities in the ECOWAS coastal states (West Africa)

5) Duration of the contract

The contract shall come into force on the date of its signing and shall be valid until the conclusion of the project, expected to be on 06/06/2021, unless:

- one of the parties withdraws from it with a written notice sent by registered letter at least 3 (three) months in advance;
- the service fails to pass the probationary period: until 30/04/2020 the service shall be subject to a probationary period; the probationary period shall be tacitly passed if it elapses without FAIMM deciding, at its own discretion, to withdraw from the contract by a registered letter sent at least fifteen days before the expiry of the above-mentioned period; in that case the contractor shall not be entitled to make any claim.

6) Tender requirements

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Accademia Italiana della Marina Mercantile
Via Oderico 10, 16145 Genoa. Tax number 01597860996 – Endowment fund: 286,881.00 euro.
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Tender participants must meet the requirements provided for by L.D. 50/2016, and in particular the requirements provided for by art. 80 of the decree. Compliance with the requirements shall be self-certified, using the template "Annex 2 – Application and Self-certification".

7) Reference regulations

L.D. 50/2016, as well as any other regulations mentioned in this call for tenders.

8) Application procedure

To take part in the call for tender the persons concerned must send to FAIMM a package bearing both the indication of the sender and the caption "Contiene Offerta per il servizio di consulenza al progetto IPCOEA – Procedura prot. 49/2020" on the outside.

The package must contain, under penalty of exclusion, three sealed envelopes, each bearing on the closing flaps the signature of the legal representative or of the attorney endowed with the necessary powers, and containing the following documents:

ENVELOPE 1 – Administrative document

Application for participation in the call for tenders (Annex 1);

Self-certification of the compliance with the requirements, issued pursuant to art. 46 and 47 of DPR 445/00 (Annex 2)

Declaration of consent to personal data treatment (Annex 3)

Valid DURC (single insurance contribution payment certificate) or self-certification

Copy of the Certificate of registration with the Chamber of Commerce for activities related to this procedure, or copy of the Chamber of Commerce report.

Declaration on honour regarding the exclusion criteria applicable to the contracts co-financed by the EU UE (Annex 5)

All the declarations issued pursuant to PD 445/00 must be signed by the Legal Representative or by an attorney endowed with the necessary powers; a copy of the ID document of the signatory (and of the relevant power of attorney, if applicable) must be annexed to them.

ENVELOPE 2 – Technical bid

Insert into the envelope anything you deem useful to allow the commission to infer the score generating elements pursuant to art. 10 of these tendering rules; the following must necessarily be included:

- Organisation and methodology
- CVs of the Experts (use the template contained in Annex 7)

ENVELOPE 3 – Financial bid

Insert into the envelope the A Annex– signed by the Legal Representative or by an attorney endowed with the necessary powers, along with a copy of the ID document;

FAIMM reserves the right to request the winning contractor, before signing the contract, to provide evidence of his compliance with the requirements, as well as to verify, while the contract is in effect, that the contractor actually meets the obligations undertaken by the relevant declaration (Annex 2).

The package must be sealed and be received by FAIMM at the following address:

Fondazione Accademia Italiana della Marina Mercantile
Via Oderico 10 16145
Genoa

within 12.00 p.m. of 15/02/2020, under penalty of exclusion.

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The package may be delivered by hand or by an authorised private courier, at the sole care, risk and expense of the sender.

Any envelopes received after the above-mentioned term shall be regarded as invalid.

FAIMM cannot be held liable for any late delivery due to service disruptions or other reasons, irrespective of the sending method used by the economic operator.

Packages shall not be opened if they do not bear the following 2 items on the outside:

- indication of the procedure subject
- name of the competing enterprise

The application for participation and the bid form can also be downloaded from the FAIMM website, at the address www.accademiamarinamercantile.it, in the section Amministrazione Trasparente/bandi e gare.

9) Bid assessment procedure stages

A special Commission - appointed by the General Director and whose composition shall be published on the FAIMM website - in compliance with the provisions contained in this call for tenders and in L.D. no. 50/2016, shall manage the following procedure stages:

First stage (public session)

- check that the packages containing the tenders were submitted properly and in compliance with the provisions contained in these tendering rules
- check that none of the competitors takes part in more than one temporary grouping, EEIG, network enterprise aggregation or ordinary consortium, or individually if it took part in the call of tenders as a grouping, aggregation or ordinary consortium of competitors; should that be the case, the competitors shall be excluded from the call for tenders;
- opening of the packages to verify that each of them contains the three envelopes: envelope 1 (administrative documents), envelope 2 (technical bid) and envelope 3 (financial bid)
- appropriate storage of "envelopes 3", containing the financial bids
- opening of "envelopes 1", containing the administrative documents, to verify their content and their compliance with all the conditions set out for the participation in the call for tenders.
- once this stage is completed the economic operators excluded from the call for tenders due to any failure to comply with the tendering rules shall be notified via certified email

Second stage (closed session)

- opening of "envelopes 2", containing the technical documents, to take note of the relevant content and to check for the presence of the documents required by the tendering rules
- assessment of the technical bids by the Commission, which shall verify the technical compliance of the tenders and assess them, assigning the relevant scores as provided for by the tendering rules;
- communication to the participants of any ensuing exclusions, as well as of the assessments carried out by the Commission and of the scores assigned with reference to the technical bids of the competitors that were not excluded.
- NB: if a single valid bid was submitted, the above stage may be skipped, directly proceeding with the third stage of the procedure;

Third stage (public session)

- check of the integrity of the envelopes containing the financial bids
- opening of the envelopes, reading of the individual bids and (mathematical) calculation of the scores associated with the prices.

Fourth stage (public session)

- establishment of the final ranking, according to the sum of the scores assigned for the technical and financial bids
- if the eligible bids are 3 or more → check for the anomaly provided for by art. 97 of L.D. 50/2016, i.e. check whether the score for the financial bid and that for the technical bid are both equal to or exceed the limits specified in article 97, paragraph 3 of L.D. 50/2016:

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- (if there are no anomalies) awarding of the contract to the best suitable bid
- (if there are any anomalies) the chairman of the commission in charge of the call for tenders shall close the public session and request an appropriate justification from the economic operator pursuant to the provisions contained in art. 97, granting it at most 10 days to submit its written explanations; the Commission shall then meet in a closed session to assess the reasons/explanations submitted by the operator and decide whether they are credible, in terms of logicity, consistency, reasonableness and proper appreciation, and then to verify whether the bid in question is suitable to meet the needs of FAIMM, or whether the winning party is likely to fail meeting a substantial part of its obligations. At the end of the session the Commission – by a notice to be published on the website of FAIMM – shall admit or exclude the submitted bid.

Special minutes shall be kept for all the sessions of the Commission.

The procedure stages may be held on the same day or on different days, at the discretion of the Commission.

Information on the date and time on which the Commission shall meet to open the envelopes shall be published on the FAIMM website within the bid submission deadline.

Public sessions may be attended by the legal representative of the competitor or by a delegate, upon presentation of an appropriate power of attorney/delegation and of a suitable ID document.

10) Bid assessment criteria

The contract shall be awarded on the basis of the “bid offering best value for money” (art. 95 of L.D. 50/2016).

The following shall be excluded:

- bids not signed by the legal representative/attorney fully accepting all the conditions contained in these tendering rules;
 - conditional bids;
 - indeterminate bids;
 - bids not accompanied by the required documents or part thereof
 - bids deemed abnormal by the Commission even after analysing the reasons submitted by the competitor;
- FAIMM is not required to pay any remuneration, in any capacity or for any reason, to the businesses for the quotations/bids they submitted.

When comparing the bids, FAIMM shall have the right to request the provision of evidence as to the content of the bid and of the declarations.

The offer shall be assessed by assigning at most **100 points**, divided as follows:

a) Technical bid **At most 70 points**

Assessment by the Commission according to the selection criteria listed below.

Criteria	Score
<u>Corporate curriculum</u>	<u>At most 10 points</u>
Proven experience in the management of Maritime Single Windows	3 points
Experience in Capacity Building activities:	
Participation in at least 1 “capacity building” project in the maritime field in the previous 6 years (proven by a contract or a statement by the client)	1 point
Participation in 2 or more “capacity building” projects in the maritime field in the previous 6 years (proven by a contract or a statement by the client)	2 points
Proven experience in communication and stakeholders coordination in the maritime field	5 points

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Curriculum Vitae of the 4 experts	At most 40 points
Curriculum vitae of Expert 1	At most 10 points
Fulfilment of the minimum requirements specified in the Reference Terms	Mandatory
Years of professional experience	
Over 8 of experience in the maritime field	2 points
Direct experience in Maritime Single Window management	3 points
Proven experience in at least one "Capacity Building" project in developing countries	3 points
Command of the French language	2 points
Curriculum vitae of Expert 2	At most 10 points
Fulfilment of the minimum requirements specified in the Reference Terms	Mandatory
Years of professional experience	
Over 8 of experience in the maritime field	2 points
Proven experience in at least one "Capacity Building" project in developing countries	3 points
Command of the French language	2 points
Experience as trainer	3 points
Curriculum vitae of Expert 3	At most 10 points
Fulfilment of the minimum requirements specified in the Reference Terms	Mandatory
Years of professional experience	
Over 8 of experience in the maritime field	2 points
Proven experience in at least one "Capacity Building" project in developing countries	3 points
Command of the French language	2 points
Experience as trainer	3 points
Curriculum vitae of Expert 4	At most 10 points
Fulfilment of the minimum requirements specified in the Reference Terms	Mandatory
Years of professional experience	
Over 8 of experience in the maritime field	2 points
Proven experience in at least one "Capacity Building" project in developing countries	3 points
Command of the French language	2 points
Experience as trainer	3 points
Proposed methodology	At most 20 points
Quality of the "Rationale" section	
The bid provides an accurate and concise analysis of the situation in the target area	1-3 points
The bid provides a brief but accurate analysis of the project risks and assumptions	1-2 points
Quality of the "Strategy" section	
The bid provides a brief but clear description of the training plan development method	1-3 points
The bid provides a suitable explanation of the procedures developed to ensure the coordination with the FAIMM offices	1-2 points
The bid provides an accurate description of quality training methods	1-3 points

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The planned activities, the required inputs and the resulting outputs are clearly defined and the assignment of specific tasks to the experts is satisfactory	1-3 points
Quality of the "Timetable" section	
The bid includes a clear work plan, flexible enough to adapt to the project requirements, showing a clear understanding of the critical project tasks	1-2 points
Further elements	
The bid includes additional experts or appropriate support skills to expand the range of expertise provided	1-2 points

b) Financial bid **At most 30 points**

The financial bid points shall be assigned according to the following formula:

$$P_o = 30 * A_{min} / A_o$$

where

- P_o = score achieved by the economic operator
 A_o = global price specified by the economic operator
 A_{min} = lowest bid global price;

- **Bidding discount price = € 120.500 (Euro one hundred and twenty thousand and five hundred/00)**

When calculating the score, numbers shall be rounded to the second decimal place.

Once received, the offer shall be valid for 180 days since the envelope opening date.

When comparing the bids, FAIMM shall have the right to request elucidations about the bid and the declarations.

All the amounts specified herein shall be regarded as net of VAT; as a consequence, bids shall also be formulated net of VAT, using Annex A to this call for tenders.

In case of mismatch between the price expressed in digits and that expressed in words, the one that is cheaper for FAIMM shall be regarded as the valid price.

In case of identical overall scores (financial bid points + technical bid points) the contract shall be awarded to the economic operator who obtained the highest score for the financial bid; should that score again be the same, a draw shall be carried out.

11) Right of scrutiny and Validity of sale prices

The General Director of FAIMM shall have the right to perform any checks, at any time and according to the procedures he should deem appropriate, to verify that the provided service meets the contractual provisions.

The sale prices specified in the bid shall remain fixed and unchanged throughout the duration of the contract, unless otherwise agreed upon between the parties at the justified request of the provider.

Should a check fail to be passed, the General Director shall immediately notify of the event the manager, and the contractor shall comply with the relevant provisions within 3 days of the notification. Should it fail to comply, FAIMM shall have the right to terminate the contract.

12) Contract awarding reserves and reasons for exclusion

FAIMM reserves the right to:

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- avoid awarding the contract if the received bids are deemed technically unfit, if the requested prices are incompatible with the financial budget of FAIMM, or if the required financial resources are not available when the contract is signed;
- cancel and/or repeat the call for tenders for any reasons deemed appropriate in the final opinion of FAIMM;
- award the contract even in the presence of a single valid bid pursuant to art. 69 of RD 827/1924;
- suspend the procedure and/or reopen the deadline without the competitors being entitled to make any claim.

The absence or incompleteness of any of the required documents/certificates shall result in the automatic exclusion from the tender procedure.

Failure to include the financial bid into the relevant package shall also be a reason for exclusion.

Participation in the call of tenders implies full and unconditional acceptance of all the conditions contained in these tendering rules.

The Procedure Manager and/or the Judging Commission shall have the right to request the completion of the submitted documents and/or any elucidations they should deem necessary regarding them.

Bidders shall be bound by the bids they submitted for 180 natural and consecutive days since the bid submission deadline.

Bids submitted by companies belonging to employees of FAIMM or to their relatives by blood or marriage shall not be taken into account.

The results of the call for tenders shall be notified to the winning bidder and published on the FAIMM website, in the section Amministrazione Trasparente.

Should the winning bidder fail to appear for the contract signature and/or should it fail to submit the required contractual documents, the awarding shall be forfeited; in that case, FAIMM shall have the right to award the contract to the second-ranked, and so on.

Should that procedure fail too, FAIMM reserves the right to award the contract in question to any other available company operating in the field, without the invited companies having the right to make any claim.

13) Rules regarding the communications

All the communications and exchanges of information between FAIMM and the economic operators shall be carried out by certified email or by ordinary email.

In particular, it should be noted that after the bid submission deadline any communications shall only be sent to the economic operators that submitted a bid within the prescribed terms.

A copy of this call for tenders and of its annexes can also be downloaded from the FAIMM website, www.accademiaimarinamercantile.it.

In the section Amministrazione Trasparente of the website, FAIMM shall also publish any updates and additions made necessary by the requests for elucidations, which must be received within 31/01/2020 at the following addresses: tortarolo@faimm.it or faimm@pec.it

The economic operators concerned, therefore, are required to check whether any communications have been published on the FAIMM website until 03/02/2020.

14) Personal data processing

Pursuant to art. 13 of EU Regulation 2016/67- GDPR and of art. 13 of L.D. 196/2003, please note that the data provided by the participants in the call for tender shall solely be processed by FAIMM for the management of the procedures related to the awarding and the signature of any subsequent contract. Providing the data is mandatory. The data controller is the General Director, while the data processors are the General Director, the administrative assistants and the members of the assessment commission.

By submitting their application, the subjects also give their consent to the processing of their personal data (pursuant to art. 13 of EU Regulation 2016/67- GDPR and to art. 13 of L.D. 196/03).

15) Termination and withdrawal

Should the contractor fail to meet even just one of the obligations arising from the contract, the latter can be terminated by FAIMM pursuant to the provisions contained in the Civil Code.

The contract can also be terminated in the following cases:

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- a) in case the declarations or the contents of the bid documents, or part thereof, should turn out to be untrue, even after the signature of the contract and when part of the services have already been provided;
- b) if the contractor is subject to any bankruptcy proceedings;
- c) in case of serious defaults by the contractor (e.g. if the provided services fail to meet the requirements)
- d) in case of repeated and unjustified failure to meet the response times that had been bid

In the above cases (a, b, c) the contract shall be terminated by law with immediate effect after FAIMM has given notice of its intention to apply the termination clause, by a registered letter.

In the above case (d) FAIMM shall have the right to demand, by registered letter with R/R or certified email, that the contractor meet the contractual terms, and shall consequently issue a Non-Conformity. After 3 Non-Conformities the contract shall be expressly terminated, pursuant to art. 1456 of the Italian c.c., without the defaulting party being entitled to make any claim.

Should the contract be terminated, the contractor shall be obliged to immediately suspend the service and to pay a compensation for any consequential damages.

Any dispute shall be settled by the Court of Genoa.

16) Penalties and claim for damages

Should any breach result in the contract termination, FAIMM shall have the right to impose a penalty as high as 5% of the sum agreed upon for routine maintenance (EXCLUDING VAT), according to the seriousness of the breach. The above shall not prejudice the right of FAIMM to claim greater damages.

17) Reference

For any issues not specifically spelled out in this call for tenders, reference must be made to the provisions contained in the EC and national regulations in force on public contract awarding, with particular reference to L.D. 50/2016.

18) Procedure Manager

The Procedure Manager is the General Director of FAIMM, Ms. Paola Vidotto, phone number 010/3622472; e-mail direttore@faimm.it.

Genoa, 15/01/2020

signature of the Procedure Manager
General Director – Ms. Paola Vidotto

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