

18/04/2024

Technical Specifications

AND OPEN PROCEDURE FOR THE SELECTION OF THE IMPLEMENTING BODY FOR THE IMPLEMENTATION OF PART OF THE WORK PACKAGES OF THE SIMPLE PROGRAMME 'EUROPEAN FRUIT AND VEGETABLES FRESH OR PROCESSED THE BEST GUARANTEE FOR A QUALITY LIFESTYLE" WHICH WILL BE THE SUBJECT OF AN APPLICATION FOR FUNDING UNDER REG.(EU) 1144/14 UNDER CALL 2024.

Summary

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Approved by resolution of 21 March 2024 of the Board of Directors of CSO Italy - Centro Servizi Ortofrutticoli Soc.

Coop.

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CSO Italy - Centro Servizi Ortofrutticoli Soc. Coop, with registered office in Ferrara (FE) at via Bela Bartok 29/G - CAP 44124, Italy, VAT number 01433020383, email address info@csoservizi.com - Posta Elettronica Certificata cso@registerpec.it, as Organisation not falling under the definition of Body governed by public law ex art. 2, par. 1, point 4, Directive 2014/24/EU, and proposer of the project "European fresh or processed fruit and vegetables. The best guarantee for a quality lifestyle" (acronym "EU-F&VforQLG") for the implementation of which funding will be requested with the funds provided on Regulation Reg. (EU) 1144/2014, in application of the Work Programme approved by the European Commission with Decision of 14.11.2023 n. 7602, and with reference to the Call for proposal of 18 January 2024

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a call for tenders for the selection, by means of an open competitive procedure, applying the criterion of the most economically advantageous tender identified on the basis of the best value for money, of an Implementing Organisation in charge of carrying out part of the project actions relating to the three-year programme (1/02/2025 - 31/01/2028) entitled "European fresh and processed fruit and vegetables. The best guarantee for a quality lifestyle" (acronym "EU-F&VforQLG"), which will take place in the target countries of Switzerland and the United Kingdom and will cover fresh and processed fruit and vegetables produced in Europe.

Glossary and definitions

List of synonyms that may be used in this Technical Specification and definitions:

- i. CSO ITALY - CENTRO SERVIZI ORTOFRUTTICOLI SOC. COOP: 'Proposing Organisation' or 'Proposing Body'
- ii. PROGRAMME "European Fresh or Processed Fruit and Vegetables. The best guarantee for a quality lifestyle" and/or 'EU-F&VforQLG': 'Programme' or 'Project Programme' or 'Project';
- iii. PARTICIPANTS IN THIS SELECTION TENDER: 'economic operator' or 'entity participating in the tender';
- iv. CONTRACTING AGENT: "Executing Organisation";

- v. CONTRACT FOR THE IMPLEMENTATION OF THE PROGRAMME: "Grant Agreement
- vi. TENDER DOCUMENTS: this document contains the technical specifications (Part A: prescribes the technical provisions to be applied to the subject matter of the tender contract) and the tender rules (Part B: document providing economic operators with the necessary information for the preparation and presentation of the documents constituting the tender and the award criteria), reference to this document will also be made using the terms "notice" or "tender notice" or "tender" or "selection procedure";
- vii. WORK PACKAGE: set of activities aimed at achieving common objectives;
- viii. FIELD OF ACTIVITY: The fields of activity coincide with the actions that will be contracted out to the successful tenderer, are contained in the work package and include several activities aimed at achieving common objectives;
- ix. SERVICE ANALOGOUS TO THAT POSTED ON THE BASIS OF THE TENDER: service falling within the same business or professional sector as that to which the contract relates, so that the tenderer may be deemed to have acquired the capacity to perform the latter¹ ;
- x. OFFER: The set of documents required for participation in the tender by the economic operator (Annex A, Technical Offer and supporting documents);
- xi. CONTRACT CONTRACT: the contract by which the service covered by these technical specifications is definitively entrusted;
- xii. UNITED KINGDOM: 'the combined nations of England, Scotland, Wales and Northern Ireland'.

¹ Cons. Stato, Sec. V, Judgment 18 December 2017 No 5944

1. Context

The proposing organisation shall, by 14 May 2024, submit the project proposal entitled: "European Fresh or Processed Fruit and Vegetables. The best guarantee for a quality lifestyle" (acronym "EU-F&VforQLG") under the call for proposals "Call for proposal for single programmes 2024" and in particular under the "TOPIC" referring to third countries "AGRIP-SIMPLE-2024-TC-OTHERS - Information and promotion programmes targeting other geographical areas" implementing EU Regulation 1144/2014.

The project, consisting of a three-year programme of actions (1/02/2025 - 31/01/2028), is aimed at information and promotion activities in favour of increased consumption of EU fresh and processed fruit and vegetable products in the SWITZERLAND and UNITED KINGDOM markets.

This call for tenders has been drawn up in compliance with the special regulatory framework on the selection of implementing bodies set out in REG (EU) 1144/2014, provided for Proposing Organisations that are not Bodies governed by public law within the meaning of Article 2(1)(4) of Directive 2014/24/EU.

Therefore, this notice complies with the provisions of:

- Reg (EU) 1144/2014: Art 13(1) and (2);
- Reg (EU) 1829/2015 - Delegated Regulation: Art 2;
- Reg (EU) 1831/2015 - Implementing Regulation: Articles 9, 10 (3) and (4), 11 and 18;
- European Commission Note DDG1 B5/MJ/DBD (2016) 321077 of 7 July 2016 - Tender Procedure Guidelines;
- Directorial Decree no. 640411 of 20 November 2023 of the Department of Competitive Policies of Agricultural and Food Quality, Fisheries and Horseracing - DG Promotion of Agricultural and Food Quality and Horseracing, of the MASAF, containing "Guidelines for the procedure for the selection of implementing bodies for simple programmes", within the framework of the procedures of the REA calls for proposals relating to "subsidies for information and promotion actions concerning agricultural products carried out in the internal market and in third countries
- Communication from the European Commission (2006/C 179/02) paragraph 2.1.2;
- Call for proposal for single programmes 2024 - Promotion of agricultural products.

1.1 Legal references

For the purpose of carrying out the activities contained in the Programme "European Fresh or Processed Fruit and Vegetables. The best guarantee for a quality lifestyle" (acronym "EU-F&VforQLG"), the Executing Organisation that will be selected must be familiar with and comply with the following regulatory references, as they are essential for the execution of the activities to be entrusted:

1. Call for proposal for single programmes 2024 - Promotion of agricultural products;
2. Reg (EU) 1144/2014 of the Parliament and of the Council of the European Union of 22 October 2014 on information provision and promotion measures for agricultural products on the internal market and in third countries repealing Council Regulation (EC) No 3/2008;
3. Reg (EU) 1829/2015 - European Commission Delegated Regulation of 23 April 2015 supplementing Regulation (EU) 1144/2014 of the European Parliament and of the Council on information provision and promotion measures for agricultural products on the internal market and in third countries;
4. Reg (EU) 1831/2015 - European Commission Implementing Regulation of 7 October 2015 laying down detailed rules for the application of Regulation (EU) 1144/2014 of the European Parliament and of the Council on information provision and promotion measures for agricultural products on the internal market and in third countries.

PART A: TECHNICAL SPECIFICATIONS

2. Subject of the contract

2.1 Summary sheet

- **Project acronym:** EU-F&VforQLG
- **Project title:** 'European fresh or processed fruit and vegetables. The best guarantee for a quality lifestyle'.
- **Project duration:** 36 months
- **Reference markets:** UNITED KINGDOM and SWITZERLAND
- **Products covered by the Programme** Fresh and Processed Fruit and Vegetables with a focus on Kiwis, Apples, Pears, Plums, Processed Tomatoes and derivatives, Fruit Juices and derivatives, Frozen Fruit;
- **Total project budget:** € 900,000.00
- **Total tender budget including fees:** € 900,000.00
- **Objectives:** The project 'European fresh or processed fruit and vegetables. The best guarantee for a quality lifestyle' has the following objectives:
 - improving the level of knowledge about the merits of fresh and processed fruit and vegetable products from the European Union,
 - increased competitiveness against non-European products and the resulting increase in consumption.

The programme's objectives are in line with the general and specific objectives set out in Article 2 and the objectives listed in Article 3 of Regulation (EU) No 1144/2014 , emphasising in particular the specificities of agricultural production methods in the Union, especially in terms of food safety, traceability, authenticity, labelling, nutritional and health aspects, wholesomeness, environmental friendliness and sustainability (including climate benefits such as reduced greenhouse gas emissions and/or increased carbon dioxide removals), as well as the intrinsic characteristics of agricultural products and foodstuffs, in particular in terms of quality, flavour, diversity or traditions.
- **Expected final effect:** to improve the competitiveness and consumption of the Union's agri-food products, optimise their image and increase their market share in the target countries, through the promotion of the products covered by the programme and the productive expression of CSO Italy members, within the target countries. The information and promotion actions are aimed at:
 - improve the degree of knowledge of the specific EU agricultural product and the high standards applied to European production methods;
 - increase the competitiveness and consumption of fruit and vegetables by optimising their image;
 - raising awareness and recognition of the Union's organic quality regime, inviting people to perceive the differences and guarantees

- offered by organically produced products;
- increase the consumption of organic fruit and vegetables in Italy and Germany;
 - Highlight the specificities of the fruit and vegetable production methods adopted in the Union, particularly in terms of food safety, traceability, authenticity, labelling, nutritional and health aspects, respect for the environment and sustainability (including climate-friendly efforts such as reducing greenhouse gas emissions and/or increasing carbon absorption) and the physical characteristics of fruit and vegetables in terms of quality, taste, organoleptic diversity and cultivation traditions.
 - The expected final impact is to improve the competitiveness and consumption of the Union's fruit and vegetables, raising its image profile and increasing its market share in this particularly attractive geographical area.

The **UK** is the first outlet market for EU agri-food products, with 48 billion Euros (21% of total EU exports) and the fourth for Italian exports in the sector, which reached 4.2 billion in 2022, marking a growth in value of about 14% compared to 2021. The top item in Italian exports to the UK is **fresh and processed fruit and vegetables**, followed by wines and cereal derivatives. Our country imports agri-food products worth around half a billion euros from Britain, mainly alcoholic beverages, milk and dairy products. Great Britain, however, has started to sign free trade agreements with third countries, particularly Australia and New Zealand, creating competitive difficulties for European products, particularly Italian products, which have a good outlet market in Great Britain. (Source: <https://www.cia.it/news/notizie/agrinsieme-londra-rafforzare-dialogo-commerciale-con-la-gran-bretagna/>).

In this context, through the campaign it is proposed to reach a target country with as many as 68 million consumers towards whom it is necessary to highlight with ever greater attention the qualitative value of Italian fruit and vegetable products so that we do not lose those market shares that risk being lost due to the UK's free trade agreements with third countries, and strengthen our excellence that boasts high quality and safety. We believe that it is important, in this sense, to create the conditions to favour trade agreements that go beyond the import/export of products, in order to enhance our know-how and our production territories.

As far as the Swiss market is concerned, although small in size, with a potential consumption of just over 8 million inhabitants, the fact that it is geographically located in the heart of Europe and has a population with one of the highest per capita incomes in the world makes it a particularly interesting catchment area. Its proximity to countries that boast the largest volumes of fresh and processed fruit and vegetables, such as Italy, makes the need to consolidate European exports to this country all the more crucial.

Over time, Switzerland has negotiated several bilateral agreements with the European Union for access to the European internal market in order to facilitate trade. All tradable goods must be declared according to the customs tariff when they are imported and exported. Like most customs tariffs in the world, the Swiss customs tariff is based on the internationally applicable Harmonised System (HS). A permit is required for the import of many agricultural products. Customs quotas are allocated for many products and product groups, including fruit and vegetables.

- **Audience:** Trade and restaurant operators, press and influencers and consumers.
- **Programme message:** The main message as well as the title of the campaign makes direct reference to Europe and

European production methods. The products covered by the project reflect such craftsmanship and care that they can be considered works of art. The strategy defined, through medium/long-term objectives aimed at raising awareness and brand awareness of EU products, is aimed not only at enhancing the products promoted by the proposing organisation, but above all at directly strengthening the entire EU fruit and vegetable economy. In this context, the use of the graphic symbol and the message 'Enjoy it's from Europe' guarantees the immediate identifiability of the actions.

3. General description of the service to be contracted

The service to be performed consists of the execution of certain work packages of the project programme, mainly concerning information and promotion actions. The implementing organisation will therefore undertake to:

- Articulate and implement the entrusted work packages throughout the three-year programme period, from the moment the contract is signed to the conclusion of the activities, according to the deadlines defined in the project programme.
- Adhere to the communication strategy identified in the project programme, work towards the achievement of the objectives set out in the project programme by paying attention to the constant monitoring of the activities implemented and their effects and impacts.
- Harmonise the mandated work packages with the activities of the Programme pertaining to the proposing organisation during execution, concerning in particular the following initiatives
 - WP5 - Printing Communication Tools
 - WP6 - Participation in trade fairs in the UK and CH
 - WP7 - Point-of-Sale Promotion and Wholesale Markets
- Ensure transparent reporting of expenses and sound administrative and financial management of the entrusted work packages, including periodic reporting activities and the final technical report, according to the deadlines set by the relevant regulations.
- Comply with the relevant regulations by ensuring that packages are executed in a manner consistent with the general and specific objectives set out in the project programme and Reg (EU) 1144/2014, ensuring clear traceability to the project programme and the proposing entity.
- Allocate qualified individuals to the project who are able to implement the activities, identifying a working group to manage and implement the work packages, which meets the participation requirements.
- The executing organisation undertakes to perform the services for the duration and within the individual deadlines set forth in the Grant Agreement, in these Technical Specifications, and, unless otherwise provided for, according to the timetable indicated by the proposing organisation.
- Ensuring qualified technical and operational support.

3.1 Operational modalities of execution

The Implementing Organisation, and in particular the team identified, will have to agree on and share with the Proposing

Organisation all the activities to be carried out. Organisational liaison will have to take place with the Proposing Organisation's coordination and monitoring team.

To this end, the implementing body and the working group must make themselves available to attend monitoring meetings scheduled according to the work programme. The decisions and topics discussed at these meetings should be recorded in minutes prepared by the proposing body and shared electronically with the implementing body.

In addition to holding meetings, the proposing body and the implementing body may use different means to share documents and exchange information. Examples include but are not limited to: telephone communication, video calls, e-mail, *cloud* or *online* sharing.

In any case, any variation of the implementation plans, as compared with what was previously agreed upon, must be authorised in advance by the proposing body in writing.

3.2 Personnel and Working Group

The implementing organisation must guarantee service provision by personnel with legitimate and regular employment or collaboration relationships and with the appropriate professional and technical requirements for the employment and implementation of the project. The working group must be characterised by a flexible organisational approach in order to respond to variations and/or unforeseen events which may arise during the course of the Programme and must have contact persons who have a perfect oral and written command of the Italian language.

The executing body shall guarantee full compliance with all contributory and tax obligations, as well as contractual obligations in general, also undertaking to observe all rules for the protection of the physical safety of workers, releasing the proposing body from any burden or liability in this regard.

The implementing body undertakes to

- a) employ suitable personnel of proven ability, honesty, morality and proven confidentiality, who shall maintain absolute secrecy as to what they have learned in the performance of the service;
- b) guarantee the stability and continuity of the service under all circumstances, ensuring personnel quantitatively and qualitatively adequate to the needs and in compliance with the contents of the technical offer;
- c) respect, with regard to its personnel, the employment contracts with regard to the wage, regulatory, social security and insurance treatment provided for by current legislation, for the entire duration of the entrusted service.

3.3 Duration of Service

The service to be entrusted will have a duration of 36 months from the date stated in the contract between the Executing Agency and the Proposing Agency. It is therefore divided into three annual instalments.

The contract definitively entrusting the service to the Implementing Organisation will only be signed once the Grant Agreement has been signed between the proposing Organisation and the Member State.

The economic operators take note of the fact that, in the event that the Subsidy Agreement is not signed, it will not be possible to sign the contract definitively entrusting the service to the Executing Organisation, without the latter being able to claim compensation for damages from the Proposing Organisation.

The purpose of the service assignment contract will be exclusively the performance of the activities described in this notice, in accordance with the operating terms and conditions set forth herein, and also developed in the executive proposal prepared by the selected Executing Agency, as well as articulated in accordance with the details that will be the subject of the programme proposal that the Contracting Agency will submit for the purpose of applying for the public financing provided for by the aforementioned European and national regulations.

The service contract will refer to all the provisions relevant to the implementation of the project programme, contained in the Grant Agreement signed by the proposing Organisation and the Member State.

4. Fields of activity

The activities indicated below must be properly articulated and detailed both from an executive and economic point of view. Furthermore, they must be scheduled in the annual timetable that will be prepared by the working group and submitted to the proposing body for approval every six months.

4.1 Activity Area: WP2 - PUBLIC RELATIONS

PR work will be key to establishing ongoing relations with the media by bringing the reality of the campaign and its messages to their attention. The objectives are:

- Improve the level of knowledge of the merits of fruit and vegetable products and the high quality standards of production methods applied in the European Union;
- Increase the consumption of EU fruit and vegetable products defined and represented by the proposing organisation in each target country.

The individual activities to be carried out consist in the creation of a press office that will take care of the public relations and media relations activities of the Programme, also through the drafting of press releases to a selected mailing list of recipients capable of generating in significant terms, attention, awareness, consensus, involvement and visibility, towards the target audience targeted by the actions. In addition, the press office will provide for the acquisition of a digital multimedia archive as a useful tool for dissemination purposes.

MINIMUM REQUIRED OUTPUTS				
Work package	Activities	1st year	2nd year	3rd year
2. Public relations	Press Office in all countries	X	X	X
	Press releases CH + UK	12	12	12
	Publications generated	30	30	30
	Mailing list for CH + UK	2	2	2
	Digital archive realisation	X	X	X

4.2 Area of activity: WP3 - WEBSITE AND SOCIAL MEDIA

A website dedicated to the project will be created, with a .eu domain, with a graphic layout consistent with the visual of the campaign and its stylistic characteristics, declined in the languages used in the target countries. The online activity will focus with particular commitment on two social media platforms, declined in the respective network of each target country, for which a targeted editorial plan and constant community management work will be planned.

Selected social media pages will be opened and organised according to the editorial plan, which will have the following objectives:

- Improve the level of knowledge of the merits of fruit and vegetable products and the high quality standards of production methods applied in the European Union;
- Increase the consumption of EU fruit and vegetable products defined and represented by the proposing organisation in each target country.

The individual activities to be implemented concern the creation and updating of the website, which will host a Newsletter dedicated to the campaign. The creation of social media pages in the target countries, which among the animation activities will host an online event on the sustainability of quality fruit and vegetable production.

MINIMUM REQUIRED OUTPUTS				
Work package	Activities	1st year	2nd year	3rd year
3. Website and Social Media	Site creation	X	X	X
	Site views	3.000	3.000	3.000
	Continuous channel animation social CH + UK	70	70	70
	Social media interactions	7.000	7.000	7.000
	Newsletter in CH + UK	X	X	X
	Consumers reached by Newsletter	10.000	10.000	10.000
	Sustainability online event	X	X	X
	Visualisations sustainability event	4.000	4.000	4.000

4.3 Field of activity: WP4 - ADVERTISING

In the target countries, organic online animation will be complemented by consumer-targeted planning through online advertising campaigns.

The ADV campaign plan will be articulated both in terms of duration and in calendaring periods according to the other activities in the programme. The initiatives will be articulated in such a way as to provide as many visualisations as possible, in order to achieve the main objectives aimed at the consumer target, i.e. those of improving the degree of knowledge of the merits of fruit and vegetable products and the high quality standards of the production methods applied in the European Union, and to bring about an increase in the consumption of fruit and vegetable products from the Union, with particular regard to those represented by the proposing organisation in each target country.

MINIMUM REQUIRED OUTPUTS				
Work package	Activities	1st year	2nd year	3rd year
4. ONLINE ADVERTISING	Online advertising campaigns in CH + UK	X	X	X
	Impressive online ADV campaigns	1.500.000	1.500.000	1.500.000

4.4 Field of activity: WP5 - COMMUNICATION TOOLS

The visual identity will be the first activity implemented and will also characterise the communication tools identified. In fact, the material will still play an important role in 'in field' events to draw consumers' attention to the campaign messages and to increase recognisability among operators in the sector.

Part of the materials to be designed and produced under the programme will be produced in letterpress by the beneficiary directly. For some dissemination materials, a digital version is planned, which can be downloaded online and printed separately by interested users, both operators and consumers.

It is also planned to produce materials that will be used to support communication for the customisation of event locations and set-ups, such as an *Institutional Brochure, roll-ups, posters*, etc., to adequately support certain events aimed at the broad consumer world.

The production of the communication tools envisages entrusting only the creative role to the selected Implementing Agency, while the Contracting Authority reserves the right to proceed independently with the printing of the materials.

In particular, the chosen organisation will be responsible for the prior creative conception, including photo shoots, the sourcing of illustrations, technical development, the drafting of texts and related layouts, as well as the preparation of all executives, and will also have to develop the relevant digital part of the communication materials, also dealing with translations and dissemination methods.

The objective is:

- Improve the level of knowledge of the merits of fruit and vegetable products and the high quality standards of production methods applied in the European Union;

The individual activities to be carried out relate to the creation and updating of the visual identity, the creativity of the information and set-up materials and the preparation of the print and digital versions of the same, translated into the languages in use in the target countries. The creative part shall concern the development of at least 8 recipes per year with related shootings.

MINIMUM REQUIRED OUTPUTS				
Work package	Tender Activities	1st year	2nd year	3rd year
5. Tools of communication and staging	Creative development and updating of visual identity	X	X	X
	Print and digital versions Institutional Brochure	X	X	X
	Executive Print Business Card Poster and Rollup	X	X	X
	Conception and realisation of recipes including shooting	8	8	8

4.5 Area of activity: WP6 - PROMOTION IN RESTAURANTS

Product promotion activities in Swiss and British restaurants will be carried out through the creation of medium-term partnerships with restaurants or venues specialised in the consumption of particular food preparations (such as ice-cream parlours, pizzerias, etc.) or Mediterranean-type cuisine distributed widely and homogeneously throughout the territory, involving, where possible, chains in the Ho.Re.Ca. sector. Within the framework of these partnerships, every year the establishments will be involved so that they include in their menus, for a few weeks of the year, the products that are the protagonists of the campaign, with the creation of original recipes aimed at making them better known to the consumers of their target countries, passing from their gustative peculiarities to their qualitative merits.

The activity will be reinforced by the production and dissemination of the communication and set-up materials foreseen in WP5 in support, both in print and digital format, which will amplify the promotional return, also associating the information component on the production to be provided to the operators and service personnel.

The duration of the promotion will be at least 40 days per year and will involve each restaurant for at least 1 week with the aim of reaching a minimum of 10,000 consumers each year. The activity will be strengthened by the work of the press office WP2 with the aim of also directly involving some journalists in the testing (and valorisation) of the menus and star products, and will be synergically supported by WP 3 and WP 4.

The objectives are:

- Improve the level of knowledge of the merits of fruit and vegetable products and the high quality standards of production methods applied in the European Union;
- Increase the consumption of EU fruit and vegetable products defined and represented by the proposing organisation in each target country;
- Promoting the export and marketing of fruit and vegetables produced in the European Union.

The individual activities to be carried out concern the holding of training days for restaurant service and kitchen staff aimed at optimising the transfer of promotional information on dishes on menus and in tastings in establishments or their chains in partnership in the target countries.

MINIMUM REQUIRED OUTPUTS				
Work package	Activities	1st year	2nd year	3rd year
6. Promotion in restaurants	Promotional Days in CH+ Restaurants UK	40	40	40
	Consumers reached	10.000	10.000	10.000

SUMMARY OF INDICATIVE BUDGET BREAKDOWN CH + UK (in euros)				
Work package	TOTAL THREE YEARS	1st year	2nd year	3rd year
WP2	180.000	60.000	60.000	60.000
WP3	285.000	95.000	95.000	95.000
WP4	120.000	40.000	40.000	40.000
WP5	105.000	35.000	35.000	35.000
WP6	210.000	70.000	70.000	70.000
TOTAL in euro	210.000	300.000	300.000	300.000

PART B: TENDER SPECIFICATIONS

5. Participants' requirements for participation in the tender

In order to be eligible for this tender procedure, the economic operator must have legal personality and must be established in a Member State of the European Union.

Economic operators may take part in this tender as individuals or in associations.

The provisions of Articles 67 and 68 of the Procurement Code apply to entities formed in an associated form.

Consortia referred to in Article 65(2) of the Code that intend to perform the services through their own consortium members are required to indicate for which consortium members the consortium is competing.

Consortia referred to in Article 65(2)(b) and (c) are required to indicate for which consortium the consortium is competing.

Temporary groupings made up of two or more economic operators that individually meet the requirements to take part in the tender may be excluded from the tender, following an adversarial procedure. This option does not apply in the event that the groupings are made up of subsidiaries and/or affiliated companies within the meaning of Article 2359 of the Civil Code.

A tenderer participating in the tender procedure in one of the forms set out below shall be excluded if the contracting authority establishes that there is significant evidence to suggest that the tenders of economic operators are attributable to a single decision-making centre as a result of agreements with other economic operators participating in the same tender procedure:

- participation in more than one temporary grouping or ordinary consortium of competitors or aggregation of economic operators adhering to the network contract (hereinafter referred to as network aggregation);
- participation both as a grouping or ordinary consortium of competitors and individually;
- participation both as an aggregation of networks and as individuals. This exclusion does not apply to networks not participating in the aggregation, which may submit bids, for the same tender, in individual or associated form;
- participation of a consortium that has appointed an executing consortium member who, in turn, participates in any other form.

In the event of such a finding, the economic operators concerned shall be informed, who may, within five days, prove that the circumstance did not affect the tender, nor is likely to affect their ability to fulfil their contractual obligations.

5.1 Financial Capacity

The Executing Organisation must have solid and sufficient financial resources to successfully implement the work packages of the project programme. In particular, it must have achieved an overall turnover of no less than EUR 2,000,000.00 (in letters: EUR two million) net of VAT, as shown in the VAT or equivalent tax declarations within the EU, during the last two years.

For this reason, under penalty of exclusion, tenderers must enclose with their tender the declaration of the Banking Institute that the Economic Operator possesses the necessary financial means to guarantee the execution of the actions envisaged in the Programme (suitable bank references).

- a) The last two approved annual financial statements. Only for companies affiliated to corporate groups, the last two approved consolidated financial statements.
- b) Declaration of the credit institution of reference of the economic operator certifying the soundness and sufficiency of the financial means necessary to guarantee the optimal execution of the actions envisaged in the project programme throughout its duration and up to the closure of the final accounts. In the case of temporary associations of undertakings or networks of undertakings each party shall submit such a declaration.
- c) An up-to-date Chamber of Commerce certificate or the certificate of registration in a commercial register kept in the Member State where the trader is established.

Together with the submission of the above-mentioned documents, Annex A) must be submitted, certifying the existence of the **financial capacity** requirements by means of a declaration made and signed by the Legal Representative.

5.2 Operational Capability - Technical and Professional Capability Requirements

The Implementing Organisation must have the necessary skills, qualifications and resources to successfully implement the work packages of the Project Programme to be entrusted, including sufficient experience in international information and promotion projects of a comparable size and nature.

Participants in this selection procedure must enclose with their bid, under penalty of exclusion:

- a) a complete and detailed description of the agency, listing the main clients and services performed (company CV);
- b) the CVs of all the members of the working group (indicated in point 3.1) that will be dedicated to the implementation of the entrusted work packages, highlighting the profiles with the most experience in the field of communication, PR and marketing;
- c) list of the main services similar to those subject of the tender carried out by the operator in the last two financial years: similar services are international promotion and information projects with a minimum total amount equal to € 2,000,000.00 (two million//00 euros net of VAT) with indication of: name of the service; brief description of the service; commissioning body; years of execution; amount invoiced for the service.

Similar services include (but are not limited to):

- management of complex international promotion projects/programmes in the agri-food sector;
- management of groupings of companies and coordination of working groups;
- design and management activities of publicly funded programmes;
- Event organisation and incoming activities;
- press office management activities;
- communication activities, PR, etc. also online;
- realisation of information material;
- realisation of promotional videos.

Together with the submission of the above-mentioned documents, **Annex A)** must be submitted, certifying the existence of the **operational capacity** requirements by means of a declaration made and signed by the Legal Representative.

Self cleaning

An economic operator that finds itself in one of the situations referred to in Articles 94 and 95 of the Procurement Code, with the exception of contribution and tax irregularities that have been definitively and not definitively established, may provide evidence that it has adopted measures (so-called self-cleaning) sufficient to demonstrate its reliability.

If the cause of exclusion occurred before the submission of the tender, the economic operator shall indicate in the DG the disqualifying cause and, alternatively:

- describes the measures taken pursuant to Article 96(6) of the Code;
- justifies the impossibility of taking such measures and undertakes to do so subsequently. The adoption of the measures shall be communicated to the contracting authority.

If the reason for exclusion occurred after the submission of the tender, the economic operator shall take the measures referred to in Article 96(6) of the Code by notifying the contracting authority.

Compensation or an undertaking to compensate for any damage caused by the offence or misdemeanour, proof that the facts and circumstances have been comprehensively clarified by actively cooperating with the investigating authorities and that concrete technical, organisational or personnel measures have been taken to prevent further offences or misdemeanours are considered sufficient measures

If the measures taken are deemed sufficient and timely, the economic operator is not excluded. If those measures are deemed insufficient and untimely, the contracting authority shall inform the economic operator of the reasons thereof.

An economic operator excluded by a final judgment from participation in award or concession procedures may not avail itself of self-cleaning during the period of exclusion resulting from that judgment.

In the event that a grouping/consortium has excluded or substituted a participant/executor affected by an exclusion clause pursuant to Articles 94 and 95 of the Code, the measures taken pursuant to Article 97 of the Code shall be evaluated in order to decide on the exclusion.

5.3 Absence of grounds for exclusion of the participant from the selection procedure

Under penalty of exclusion, economic operators participating in this selection procedure must not be in one of the situations described below:

- a) *Criminal conviction for one of the following reasons* (a) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA; (b) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and in Article 2(1) of Council Framework Decision 2003/568/JHA; as well as corruption as defined in the national law of the contracting authority or the economic operator (d) fraud within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests terrorist offences or offences linked to terrorist activities, as defined in Article 1 and Article 3 respectively of Council Framework Decision 2002/475/JHA, or inciting, aiding or abetting, or attempting to commit an offence as defined in Article 4 of that Framework Decision (e) money laundering or terrorist financing as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council child labour and other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council. The exclusion also applies where the person definitively convicted is a member of the administrative,

management or supervisory board of that economic operator, or is a person therein with powers of representation, decision-making or control.

- b) Failure to comply with obligations relating to the payment of taxes or social security contributions under Italian law.
- c) Being in a state of bankruptcy or undergoing insolvency proceedings, or being in liquidation, receivership, composition with creditors, having ceased activity or any other similar situation arising from a similar procedure under national laws and regulations.
- d) They have committed serious professional misconduct which makes their integrity doubtful (including by persons with powers of representation, decision-making or control, beneficial owners or persons who are essential to the award/implementation of the grant).
- e) Significant deficiencies in the performance of key obligations under an EU procurement contract, grant agreement, award, expert contract or similar (including by persons with powers of representation, decision-making or control, beneficial owners or persons who are essential to the award/implementation of the grant)

The absence of the causes of exclusion identified above must be certified under criminal liability in Annex A), by means of a declaration made and signed by the Legal Representative, pursuant to Presidential Decree 445/2000.

6. Award Criteria

The qualitative aspects of the service and the economic offer will be considered jointly.

In fact, the contract will be awarded according to the principle of best value for money.

For each evaluation category, points will be awarded as follows:

- a) Quality of the technical offer: Max 85
- b) Congruity of the economic offer: max 15

Each participating economic operator will be awarded points according to the criteria set out above and the sub-criteria defined in the tables below. The maximum score is one hundred points (100).

a) Quality of the technical offer		
Sub-Criterion	Description	Score
1a. General strategy (max 20 points)	Adequacy of the proposal in terms of consistency with the objectives foreseen in Reg (EU) 1144/2014 and with the Project Plan. Consistency between the overall project strategy and the individual activities proposed.	13
	Adequacy of outputs and number of outputs offered compared to those required	7
2a. Graphic proposals, format and socio-environmental sustainability (max 24 points)	Degree of creativity in the design of the visual identity proposal(s) and the corporate image of the campaign (campaign logo and visual)	8
	Proven experience in audiovisual content creation and production and in social media management	4
	Flexibility of the proposal(s) by channel, instrument and target group: Evaluation of the possibility of articulating the message for use in the three-year programme, including through a mix of techniques and co-ordinated solutions, in order to give a clear and complete response to the needs for involvement of the different target groups.	4
	Effectiveness of the graphic proposals and coherence of the communication <i>concept</i> with the appropriate programme to ensure the achievement of the set objectives	8
3a. Methodological approach: Working group and control reliability, experience, relationships and stakeholder relations (max. 26 points)	Quality of the organisational structure and professional characteristics of the proposed working group, in addition to the requirements under 3.1 and 5.2	8
	Adequacy of control mechanisms to monitor the correct economic and financial execution of the project and adherence to the schedule	5
	Degree of knowledge of target markets and market logic in them	4
	Experience in managing complex communication and promotion projects in the specific segment	4
	Capacity to work in the target countries through stakeholder involvement, contacts with contacts and suppliers in the target countries and also through experience gained over the years	5
4a. Environmental and social sustainability of proposals (max 8 points)	Degree of compatibility and contribution of the technical offer with the principles and objectives of environmental sustainability under the European Green New Deal from the CAP and F2F, focus on social sustainability and transparency	8
5a. Extra Services (max 7 points)	Warehousing and logistics service for product shipment to the events in the Project Programme	2
	BackOffice service active 5 days a week	5
b) Congruity of the economic offer		
Sub-Criterion	Description	Score
1b. Economic analysis and fee (max. 15 points)	Evaluation of the economic offer for activities (SUBTOTAL ACTIVITY) according to the formula below	10
	Evaluation of the appropriateness of the fee, expressed as a percentage based on the cost of each action, required for the implementation of the programme, according to the formula below	5

The Evaluation Committee will analyse each technical offer, assigning a qualitative coefficient for each sub-criterion:

Coefficients for the relative weighting given to each sub-criterion	
Not detectable	0
Insignificant evaluation	0,1
Barely sufficient evaluation	0,2
Sufficient evaluation	0,3
Rating between sufficient and fair	0,4
Fair rating	0,5
Rating between fair and good	0,6
Good rating	0,7
Rating between good and excellent	0,8
Excellent rating	0,9
Excellent rating	1

With regard to the economic offer for activities (maximum of 10 points out of 100), points will be awarded on the basis of the following formula:

$$\text{Score "economic offer evaluation for activities" considered} = \frac{\text{Offer X}}{\text{Maximum offer}} * 10$$

where:

Highest bid: this is the highest economic bid for the activities (SUBTOTAL ACTIVITY) submitted;

Offer X: is the economic offer for the activities (SUBTOTAL ACTIVITY) of the economic operator considered.

With regard to the economic offer for the evaluation of the fairness of the participant's fee (maximum of 5 points out of 100), the score will be awarded on the basis of the following formula

$$\text{Economic offer score for "evaluation of the fairness of the fee" = } \frac{\text{Operator fee \% minimum}}{\text{Operator fee \% X}} * 5$$

where:

Minimum operator's fee %: this is the fee for the lowest economic offer submitted by the participating operator.

Operator fee % X: this is the fee for the economic offer of the economic operator concerned.

It is specified that the fee must never exceed 13% of the value of the economic offer in total or in part.

For the purposes of awarding and calculating scores, any non-integer values will be approximated to the second decimal place.

No increased bids are allowed.

On the basis of the scores awarded to the offers, a ranking list will be drawn up.

The award will be made in favour of the tenderer who has submitted a bid that meets all the mandatory minimum requirements and has achieved the highest overall score (technical bid score + financial bid score).

In the event of a tie, the contract will be awarded to the tenderer with the highest score in the technical offer. In the event of a tie in both the economic offer and the technical offer, the contract will be awarded by drawing lots.

If there is only one valid tender, the proposing body may decide whether or not to award the contract.

With the awarding of the contract, the awarded economic operator is immediately bound, whereas the proposing organisation will be definitively committed only when the consequent acts necessary for the completion of the tender have taken full legal effect, and in any case after the signing of the Grant Agreement.

In the event that the successful tenderer fails to appear for the conclusion of the final contract or if the declarations made are found to be false, the Contracting Authority reserves the right to award the contract to the next person in the ranking list, once the necessary checks have been carried out.

7. Submission of tenders

Economic operators wishing to take part in the tender must, under penalty of exclusion, submit their proposal together with all the required documentation **by 8 MAY 2024 at 15:00**.

Bids may be transmitted digitally, by certified e-mail to cso@registerpec.it or in hard copy or by registered mail with acknowledgement of receipt, courier or other method guaranteeing certainty of the date and time of arrival, in a single sealed envelope. Delivery of tenders by the deadline shall be at the sender's sole risk if, for any reason, the tender does not reach its destination by 3 p.m. on 8 May 2024. The offer must contain, in addition to the supporting documents indicated above, the following three documents:

Envelope A) ADMINISTRATIVE DOCUMENTATION

- **Annex A**, completed and signed by the Legal Representative, certifying the existence of the requirements set out in points 5.1 and 5.2, the absence of grounds for exclusion set out in point 5.3 and the other elements useful for evaluation. The annex must be submitted together with:

1. Identity document of the Legal Representative. In the case of temporary business associations or business networks not yet established, each party must present the identity document of the Legal Representative;
2. Declaration of the credit institution of reference of the economic operator certifying the soundness and sufficiency of the financial means necessary to guarantee the optimal execution of the actions envisaged in the project programme throughout its duration and up to the closure of the final accounts. In the case of temporary associations of undertakings or networks of undertakings not yet established, each party shall submit this declaration;
3. The last two approved financial statements. In the case of temporary business associations or business networks, each party must submit the last two balance sheets;
4. A complete and detailed description of the agency, group (if any), with a list of the main clients and services carried out (company CV). In the case of temporary business associations or business networks, each party must submit its own company CV;
5. The CVs of all the members of the team that will be dedicated to the implementation of the entrusted work packages, highlighting the profiles with the most experience in the field of communication, PR and marketing;
6. List of the main services similar to those covered by the tender carried out by the operator in the last two financial years;
7. An up-to-date Chamber of Commerce certificate or a certificate of registration in a commercial register kept in the Member State where the operator is established.
8. Any other document or indication *useful* for the verification of the existence of the quality of the tender on the basis of the award criteria set out in points 6 et seq. above, *given that failure to indicate the elements necessary*

for the verification of the existence of the award criteria will result in the impossibility of awarding the relevant score for the purposes of the ranking list.

Envelope B) TECHNICAL PROPOSAL

On unstamped paper, the participating economic operator must provide a detailed description of the activities to be carried out, based on the outline provided in these specifications, and the creative and graphic proposals

Envelope C) ECONOMIC OFFER requested.

- Tables detailing the operator's costs and fees calculated in percentages.

Annex B must contain four different sheets

- a) General summary budget by countries and years;
- b) Detailed general budget by countries and years;
- c) UK budget per year;
- d) Swiss budget per year.

7.1 HOW TO SEND

The offer may be transmitted digitally, by certified electronic mail to cso@registerpec.it or in paper form or by registered mail with acknowledgement of receipt, courier or other method guaranteeing certainty as to the date and time of arrival, in a single sealed envelope.

In the case of temporary business associations or business networks not yet established, the sender's PEC address may be that of the entity that will be identified as agent.

All documentation (Annex A, Annex B and technical proposal) must be digitally signed if transmission is by PEC, signed with a handwritten signature if the package is sent on paper, except for any photo/video material. The documentation must be transmitted in a non-editable format. If sent by PEC, Annex A, Annex B and the technical proposal must be transmitted in pdf format.

The envelope or the certified email message must be received respectively at the postal address or the PEC address indicated in this paragraph and referable to the proposing Organisation, under penalty of exclusion, **no later than 3:00 p.m. on 8 May 2024**. For the purposes of verifying compliance with the deadline for the delivery of the offers, in the event of disputes, the date and time contained in the delivery receipt shall be deemed to be the authentic date and time.

Delivery after the deadline, dispatch to a different PEC or postal address from the one stipulated in this notice, incorrect subject matter or absence of the required documentation or signature shall result in the exclusion of the operator to whom the tender refers.

In the subject line of the PEC, economic operators should write:

DO NOT OPEN. PROCEDURE FOR THE SELECTION OF IMPLEMENTING BODIES FOR THE SIMPLE PROGRAMME 'EUROPEAN FRUIT AND VEGETABLES FRESH OR PROCESSED. THE BEST GUARANTEE FOR A QUALITY LIFESTYLE' (AGRIP SIMPLE 2024

TC - OTHERS - UK-CH REFERRED TO IN REG (EU) 1144/2014

In the event that, due to the weight of the attached documents, it should be necessary to send several certified e-mail messages, the economic operators must write in the subject line, before the above-mentioned wording, the progressive number of the message and they must write in the subject line of the last message the progressive number of the sending followed by the indication of the number of sendings by adding "of no. sendings", as in the example below:

1ST SUBMISSION DO NOT OPEN. PROCEDURE FOR THE SELECTION OF IMPLEMENTING BODIES FOR THE SIMPLE PROGRAMME 'EUROPEAN FRUIT AND VEGETABLES FRESH OR PROCESSED. THE BEST GUARANTEE FOR A QUALITY LIFESTYLE" (AGRIP SIMPLE 2024 TC - OTHERS - UK-CH) REFERRED TO IN REG (EU) 1144/2014

2nd shipment DO NOT OPEN. PROCEDURE FOR THE SELECTION OF IMPLEMENTING BODIES FOR THE SIMPLE PROGRAMME 'EUROPEAN FRUIT AND VEGETABLES FRESH OR PROCESSED. THE BEST GUARANTEE FOR A QUALITY LIFESTYLE" (AGRIP SIMPLE 2024 TC - OTHERS - UK-CH) REFERRED TO IN REG (EU) 1144/2014

3rd shipment of 3 DO NOT OPEN. PROCEDURE FOR THE SELECTION OF IMPLEMENTING BODIES FOR THE SIMPLE PROGRAMME 'EUROPEAN FRUIT AND VEGETABLES FRESH OR PROCESSED. THE BEST GUARANTEE FOR A QUALITY LIFESTYLE" (AGRIP SIMPLE 2024 TC - OTHERS - UK-CH) REFERRED TO IN REG (EU) 1144/2014

In the case of sending a hard copy envelope, delivery may be by courier, registered letter with acknowledgement of receipt or any other method guaranteeing certainty of the date of arrival. The receipt certifying the delivery shall be deemed authentic.

The postal address to which the offer should be sent in paper form is:

CSO ITALY - Centro Servizi Ortofrutticoli Soc. Coop.

Via Bela Bartok, 29/G - 44124 Ferrara (FE) - Italy

To the kind attention of Luca Mari

The offer sent in paper form must be received in a sealed envelope, countersigned on the edges and must contain all the mandatory documentation required, divided into three envelopes (Annex A, Annex B and technical proposal)

In the subject line of the sealed envelope, economic operators should write:

DO NOT OPEN. PROCEDURE FOR THE SELECTION OF IMPLEMENTING BODIES FOR THE SIMPLE PROGRAMME 'EUROPEAN FRUIT AND VEGETABLES FRESH OR PROCESSED. THE BEST GUARANTEE FOR A QUALITY LIFESTYLE" (AGRIP SIMPLE 2024 TC - OTHERS - UK-CH) UNDER REG (EU) 1144/2014.

In the case of hard copy submission, the documentation relating to the technical proposal must be submitted both in hard copy format and in electronic format - on a USB flash drive or CD - by the economic operator. Sending the documentation relating to the technical proposal in paper format only may prevent the relevant score from being awarded, due to the impossibility of fully appreciating the creative part of the proposal.

The timely delivery of tenders remains at the sole risk of the sender if, for any reason, the tender does not reach its destination by 3 p.m. on 8 May 2024.

8. Procedure for opening envelopes

The envelopes containing the bids will be opened from 4 p.m. on 9 MAY 2024. After the deadline for receipt of bids, an internal committee will appoint the members of the Evaluation Committee, a body created ad hoc to evaluate and select the proposals received. Said Evaluation Committee shall meet as of 4:00 p.m. on 9 MAY 2024, in order to carry out the selection and awarding procedures, according to the evaluation criteria set forth in point 6 of this notice. The Commission's work shall be duly recorded in minutes, indicating the reasons supporting the assessments made.

All participants will be promptly notified of the outcome of the Selection Competition by PEC with the relevant reasons.

The results will also be published on the website www.csoservizi.com (news section) within five days after the closing of the evaluations.

Each economic operator is allowed to send a proxy to take part in the opening of the paper envelopes and in the downloading of the PECs by presenting himself at 4.00 p.m. on 9 MAY 2024 at the offices of CSO Italy Via Bela Bartok 29/G - 44124 Ferrara (FE) and anticipating the sending of the proxy by 6.00 p.m. on 8 May 2024.

8.1 Requests for clarification prior to the submission of tenders

Any questions and/or clarifications regarding the execution of the offer may be addressed EXCLUSIVELY by e-mail to luca.mari@csoservizi.com. Answers will be provided exclusively in writing until 3 MAY 2024.

The questions and answers will be published on the CSO Italy website in the news section.

Any verbal requests or requests made in any other manner will not be considered.

9. How to prepare the technical proposal and the economic offer

The economic operator wishing to take part in the call for tenders will have to present a service articulated with respect to the different sectors of activity (described in point 4 above). For the period of implementation of the programme, a set of minimum outputs required for each sector of activity is envisaged. Tenderers are entitled to submit, in their technical offer, a proposal that envisages the realisation of a greater number of outputs, provided that the related economic offer does not exceed the limits set out in the "*Total budget of the call for tenders including fees*" section (amounting to € 900,000.00).

Given the subject matter of the contract, and the nature of the economic operators who may submit tenders, in order to allow maximum freedom in terms of the creativity of the proposal, the technical proposal may be submitted in a free format, without a predefined annex.

The documentation must be submitted in paper format and in electronic format - on a USB stick or CD - by the economic operator.

IN THE CASE OF SUBMISSION BY PEC: The technical proposal must also be digitally signed except for any photo/video materials. If, in addition to the main document constituting the technical proposal in pdf format, economic operators should submit any photographic or video material that cannot be physically enclosed in the same file, they must take care to write in the name of the file ANNEX **TECHNICAL PROPOSAL**, assigning a sequential number to each attachment.

IF THE OFFER IS SUBMITTED IN PAPER FORMAT: The technical proposal must also be signed in handwritten form. The technical proposal documentation must be submitted both in paper format and in electronic format - on a USB flash drive or CD - by the economic operator. Submission of the technical proposal documentation in paper format only may prevent the relevant score from being awarded, due to the impossibility of fully appreciating the creative part of the proposal.

As far as **the economic offer is** concerned (**Annex B**), the costs relating to the economic operator's fee must be presented in the form of **man-days** in relation to each individual initiative, detailing how and the data needed to quantify them. It is requested to detail the costs per sector of activity (broken down by year and by country), the annual costs of the individual activities proposed for both countries and the related cost of the economic operator's fee, also indicating the number of planned days and the daily cost. Due consideration must be given to the fact that all **commission costs for making foreign transfers will be borne entirely by the executing organisation**.

Annex B must contain four different sheets

- a) General summary budget by countries and years;
- b) Detailed general budget by countries and years;
- c) UK budget per year;
- d) Swiss budget per year.

All sheets must be correctly filled in. The file, converted into pdf, must be digitally signed. Documents submitted in paper format must be signed with a handwritten signature

10. *Obligations of the Enforcement Body*

They are the responsibility of the implementing body:

- 1) Performance of the Services covered by the contract, in agreement and cooperation with the proposing organisation and in full acceptance of the contents of these Tender Specifications;
- 2) Observance of any provisions contained in this tender, even if not specifically referred to in this Article, in the Programme Implementation Agreement to be concluded between the proposing organisation and the Member State, in rules and regulations in force at national, European and target country level, as well as those that may be issued during the contract period (including regulations and municipal ordinances), with particular regard to those relating to hygiene and safety and in any case relevant to the subject matter of the contract or its execution.
- 3) The implementing body assumes full technical and financial responsibility for the actions referred to in point 4, including that relating to their compatibility with existing Swiss and United Kingdom legislation and the competition rules applicable in this area. The contractor shall, if necessary, employ staff to monitor and supervise the implementation of the actions under the programme.
- 4) The implementing body will have to supervise the administrative/financial monitoring of the project, including the keeping of records and supporting documents, the transmission of deliverables, and the preparation of actions and payment claims.
- 5) The implementing body undertakes to keep the records and supporting documents, for three years following the payment of the balance, in order to prove the correct implementation of the action and the costs declared eligible, and in any case until the end of any control, audit, investigation, litigation or legal proceedings.
- 6) The implementing body undertakes to make available to the proposing body or to the competent authorities all documents relating to the actions, including in original form, in order to allow checks or controls to be carried out.

11. *Amendments to the contract, change of services and unilateral termination of the contract*

Express provision is made for the proposing body's right, in the event of sudden and special needs, to make up to one-fifth of the contract amount in quantitative increases or decreases in the contract, subject to contractual obligations.

Should extraordinary interventions not contemplated in this notice be required, the relevant conditions shall be agreed upon between the parties from time to time. All the aforementioned changes shall be communicated in writing via PEC, with specific indication of the new execution conditions and start-up times.

The proposing organisation also reserves the right to terminate, for reasons not attributable to the successful tenderer, the contract in whole or in part by awarding him an indemnity, as provided by law, in relation to the part of the contract

not performed.

The proposing organisation shall also have the right to monitor and verify the proper performance of the service, also with the aid of appointees chosen at its discretion. Should it find serious discrepancies in the performance of the entrusted activities, it shall be entitled to unilateral termination of the contract, without prejudice to its right to claim damages.

12. Non-performance

The proposing Organisation shall be entitled to monitor and coordinate all activities envisaged in the Project Plan. Should the proposing Organisation find any discrepancies in the actions with respect to what is set out in the Project Plan, in this call for proposals or in the tender proposed under this call for proposals, it shall have the right to address a formal protest, in writing, to the Executing Organisation via PEC.

The Enforcement Agency shall respond to the challenge within three working days from receipt of the challenge.

The dispute may relate to

- The request for the replacement of unsuitable personnel for the implementation of services;
- The request to make substantial changes to projects, activities, materials realised;
- Any other request that ensures a workmanlike job, or adherence to scheduled deadlines, for the successful completion of the project.

In the event that the Executing Agency refuses, without a justified reason, to comply with the requests set out in the claim, the Proposing Agency shall be entitled to terminate the contract, without prejudice, however, to the right to compensation for damages.

13. Grounds for forfeiture, cases of revocation of the contract and place of jurisdiction

The implementing body may be declared debarred from the contract in the following cases:

- 1) for failure to fulfil contractual or statutory obligations in respect of salaries, payments or social security and insurance payments to the personnel of the company awarded the contract;
- 2) for manifest non-fulfilment of the commitments undertaken in the contract, even if provided for in executive plans or special agreements signed between the parties, or for variations subsequently made to the executive plan;
- 3) for non-compliance with the submitted project guidelines and any supplementary service quality guidelines.

For any disputes that may arise during the execution of the contract between the proposing body and the executing body, which cannot be settled out of court, the competent court shall be Bologna.

14. Intellectual Property and Economic Use

The intellectual property rights and the rights of economic use of the works (hereinafter also referred to as "works"), prepared or realised by the successful tenderer, its employees and collaborators, connected with the performance of the service entrusted, shall be automatically assigned to the proposing Organisation and shall remain its exclusive property. The proposing body may therefore dispose of, without any restriction or time limit, by way of example but not limited to: the publication, dissemination, use, translation, duplication of said works. The Executing Organisation, by signing the

contract, assigns, alienates and licenses, in a perpetual, unlimited and irrevocable manner, all transferable rights provided for and deriving from Law no. 633/1941 et seq.

To this end, the Executing Organisation undertakes to deliver all products in an open and modifiable format and expressly undertakes to provide the client with all documentation and material necessary for the effective exploitation of the exclusive ownership rights, as well as to sign all documents necessary for the possible registration of said rights in favour of the client in any public registers or lists.

15. Processing of personal data of third parties and confidentiality

The implementing body undertakes to comply with the current legislation on the collection and processing of personal data and the protection of databases.

The Executing Agency, during the performance of the contract, undertakes to comply with all the provisions contained in the national and European legislation including the provisions set forth in Legislative Decree 196/2003 and those set forth in Regulation (EU) 679/2016 of the European Parliament and of the Council of 27 April 2016 (the so-called GDPR) and to ensure that the personal, asset, statistical, master data and/or any other kind of information, of which it will become aware by reason of the services entrusted, will be processed in an appropriate manner and in accordance with transparent procedures.

The Executing Agency, during and after the execution of the contract, undertakes not to make direct or indirect use of the information it has become aware of by reason of the services entrusted to obtain advantages or other benefits for itself or for third parties. In particular, the Executing Agency must undertake to maintain the strictest confidentiality on all information, data and circumstances concerning the proposing body, even after the conclusion of the service.

16. Information on the processing of personal data

In compliance with the provisions of Legislative Decree No. 196/2003 and the provisions of Regulation (EU) 679/2016 of the European Parliament and of the Council of 27 April 2016 (the so-called GDPR), the Proposing Organisation will use the data collected contained in the bids for the sole purpose of proceeding to the selection of the Implementing Organisation. The data collected may be used for the fulfilment of legal obligations, including the controls provided for by Regulation (EU) 1144/2014 and by the Directorial Decree no. 640411 of 20 November 2023 of the Department of Competitive Policies for Agricultural and Food Quality, Fisheries and Horseracing - DG Promotion of Agricultural and Food Quality and Horseracing, of the MASAF, bearing the "Guidelines for the procedure for the selection of implementing bodies for simple programmes", in the context of the procedures referred to in the REA calls for proposals relating to "subsidies for information and promotion measures concerning agricultural products carried out on the internal market and in third countries".

The data subject's rights are set out in Article 13 of Legislative Decree 196/2003 and may be exercised in accordance with the GDPR (see Articles 15 and 22).

The proposing body declares that it is in charge of the selection procedure:

- The purpose of the data processing relates to the verification of the competitors' ability to participate in and be awarded the tender in question;
- The data provided will be collected, recorded, organised and stored for the time strictly necessary and for the purposes of managing the tender; they will be processed both on paper and by means of computer technology, even after the possible establishment of the contractual relationship for the purposes of that

relationship;

- Failure to provide the obligatory data will result in exclusion from this tender;
- The data may be communicated to:
 - 1. Personnel of the Selection Body;
 - 2. Evaluation Committee;
 - 3. Verification Commission identified by the MASAF;
 - 4. Competitors taking part in the public tender session;
 - 5. All other persons identified as deserving or interested under Italian law and, in particular, under Administrative Procedure Law No. 241/90.
- The active subject of the data collection is the proposing body and the data controller is the Legal Representative.
- The person concerned may exercise the rights provided for by Legislative Decree

196/2003 and GDPR Articles 15 and 22; Data Controller: Paolo Bruni.

Exercise of rights: for any further information on the processing of personal data, please write to info@csoservizi.com or call 0532/904511.

17. Contractual expenses

The costs of stamping, stipulation, registration and any other ancillary expenses related to the tender contract shall be borne 50% by the executing body and the remaining 50% by the proposing body.

18. Conflict of interest

Pursuant to and for the purposes of:

- of the Directorial Decree No 640411 of 20 November 2023 of the Department of Competitive Policies for Agricultural and Food Quality, Fisheries and Horseracing - DG Promotion of Agricultural and Food Quality and Horseracing, of the MASAF, containing the 'Guidelines for the procedure for the selection of implementing bodies for simple programmes', within the framework of the procedures referred to in the REA calls for proposals relating to 'subsidies for information and promotion actions concerning agricultural products carried out on the internal market and in third countries
- of Reg (EU) 1144/2014
- of EU Reg 1829/2015 - delegated;
- of EU Reg 1831/2015 - implementing;
- of the European Commission Note DDG1 B5/MJ/DBD (2016) 321077 of 7 July 2016 - Tender Procedure Guidelines;
- of European Commission Communication (2006/C 179/02) paragraph 2.1.2;

the proposing body, in carrying out this selection procedure, shall take all appropriate measures to prevent, identify and effectively remedy conflicts of interest that are likely to lead to a distortion of competition and ensure equal treatment of all economic operators.

19. Single Procedure Manager

The single person in charge of the procedure is Dr. Luca Mari