



MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION

CONSULATE GENERAL OF ITALY IN FRANKFURT AM MAIN

NOTICE OF CALL FOR TENDERS TO SELECT CANDIDATES TO BE INVITED TO TAKE PART IN THE RESTRICTED PROCEDURE TO ASSIGN THE SERVICES OF "PRELIMINARY DESIGN", "FINAL DESIGN", "EXECUTIVE DESIGN", "WORKS DIRECTION" AND "COORDINATION OF SAFETY IN THE DESIGN AND EXECUTION PHASE" PERTAINING TO THE WORK OF RENOVATION AND FUNCTIONAL ENHANCEMENT OF THE NEW PREMISES OF THE CONSULATE GENERAL OF ITALY IN FRANKFURT AM MAIN LOCATED IN ESCHERSHEIMER LANDSTRASSE 23, 60322 FRANKFURT AM MAIN (GERMANY)

CIG 8918897AA1

NOTICE OF CALL TO TENDER

Pursuant to Article 28 of Directive 2014/24/EU

1. CONTRACTING AUTHORITY

Name:	CONSULATE GENERAL OF ITALY IN FRANKFURT AM MAIN
Address:	Danziger Platz 12, 60314 Frankfurt am Main, Germania
Department responsible:	ADMINISTRATION
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MEASURES TO INITIATE THE PROCEDURE, SOURCE OF FUNDING

Determination to contract no. 41-bis of 27 September 2021;

Source of funding: Budget of the Consulate General of Italy, Frankfurt am Main, 2021.

2. PUBLICATION OF NOTICE

The present notice is published:

- in the Official Journal of the European Union;
- in the Official Gazette of the Republic of Italy;
- in the transparent Administration Section, subsection Tenders and contracts of the Consulate General of Italy, Frankfurt am Main: https://consfrancoforte.esteri.it/consolato_francoforte/it/la_comunicazione/trasparenza_e_merito/bandi-di-gara-e-contratti.html
- on the website of the Ministry of Foreign Affairs and International Cooperation: www.esteri.it/mae/it/trasparenza_comunicazioni_legali/bandi-gara-contratti/;
- in the national daily Frankfurter Rundschau and in the local newspapers Frankfurter Neue Presse and Rhein-Main Zeitung

CPV CODES

CPV Code: 7122100-3 Architectural services for buildings

3. SUBJECT OF THE TENDER

The present notice concerns the procurement, pursuant to article 28 of Directive 2014/24/UE, of architectural and engineering services pertaining to works of **RENOVATION AND FUNCTIONAL ENHANCEMENT OF THE PREMISES OF THE CONSULATE GENERAL OF ITALY AT FRANKFURT AM MAIN, LOCATED IN ESCHERSHEIMER LANDSTRASSE 23, 60322 FRANKFURT AM MAIN (GERMANY)**. Specifically: preliminary design, final and executive design of the project, application for authorisations from the competent local authorities, works management, and coordination of safety during the design and execution phases of the works.

3.1 TECHNICAL DOCUMENTS AVAILABLE TO TENDERERS

The Consulate General of Italy in Frankfurt am Main will provide the selected tenderers with technical documentation consisting of the following documents:

- Preliminary design document;
- Graphic documents (in pdf and dwg formats) consisting of:

- Land registry map extract;
- Basement floor plan;
- Ground floor plan;
- First floor plan;
- Second floor plan;
- Third floor plan;
- Fourth floor plan;
- Fifth floor plan.

3.2 CONFIDENTIALITY CLAUSE

With respect to the nature of the activities, the invited economic operators are bound by specific obligations of confidentiality with regard to the documents provided by the contracting authority for the preparation of the offer. The economic operators may not use, for any reason whatsoever, the documents received or produced, outside the activities covered by the present tender. The invited economic operators therefore undertake, when submitting their manifestation of interest and when submitting their offer, not to make or allow others to make copies, abstracts, notes or elaborations of the above-mentioned documents.

4. DESCRIPTION OF SERVICES REQUESTED

Within the context of the renovation of the Consulate General's offices at Eschersheimer Landstraße 23, 60322 Frankfurt am Main, the tenderer awarded the contract will be entrusted with the following services in accordance with the regulations of the Federal Republic of Germany governing land-use planning, and the design and construction of buildings.

A. Preliminary design

1. Verification and updating of building survey.
2. Illustrative report containing:
 - a. a general description accompanied by graphic documents of the design solutions analysed, from a functional, technical (plant, structural, traffic, etc.) and urban planning point of view;
 - b. outline of the reasons underlying the solution selected from a functional and economic perspective, as well as the overall situation of the area with reference to other possible solutions; given that the project involves the renovation and

enhancement of existing works, the characteristics of the existing works, the reasons that led to this choice and the examination of possible alternatives, even partial ones, must be clearly set out.

c. detailed description of the project solution identified and presentation of the feasibility of the intervention, also documented through:

- the result of enquiries regarding historical, artistic, archaeological, environmental or any other constraints affecting the areas or buildings concerned;
- functional and inter-relational aspects of project elements, also within the framework of requirements and needs to be met;
- assessing the availability of public utilities and how they are connected;
- assessment of interference with public services along the route, proposed solution and likely costs;
- indications on accessibility, use and maintenance of existing works, plant and facilities.

d. Economic and financial aspects such as:

- expense estimates and receipts;
- economic overview.

3. Technical report: a document reporting how specialist technical studies pertaining to the project have been developed and indicating what deliverables should be expected from the intervention. It describes in detail what investigations have been carried out and where the project stands as regards its impact on the territory; it also describes and motivates the technical decisions taken by the project relating to:

- architecture and functionality of the intervention;
- installations and security;
- structures.

4. Graphic documents:

- a) a list of ruling town planning and implementation instruments, also indicating the location of the intervention;
- b) documents relating to surveys and preliminary studies, on a scale appropriate to the dimensions of the work being undertaken;
- d) the number of documents and schematic drawings laid out and on a scale necessary to permit the rough identification of all spatial, typological, functional and technological

characteristics of the works to be undertaken, supplemented by charts of the parameters to be respected.

5. First indications and measures to protect health and safety in the workplace

containing:

- identification and description of the work, including the location of the worksite and the description of the context in which the work will be carried out, a summary description of the work, with reference to preliminary design decisions;
- the identification, analysis and assessment of risks in relation to the area and organisation of the specific worksite as well as to interfering processes;
- design and organisational decisions, procedures and preventive and protective measures, with reference to the site area, the organisation of the site, and the work involved;
- a summary estimate of safety costs on the basis of the work to be carried out and the elements referred to in previous items.

6. Summary calculation of expenditure: a document containing an estimate of the cost of the works done on a parametric basis or by preparing a rough Bill of Quantities.

7. Economic framework of the project: a document containing an estimate of the cost of the works, the costs of measures aimed at protecting health and safety in the workplace, and the amount available to the administration.

8. First indications for fire design: document containing preliminary indications for fire protection design.

9. Documents required for the granting of authorisations by the competent local authorities: preparation and presentation by professionals, eligible to work in Germany, of the documents necessary to obtain opinions and/or authorisations from competent local authorities.

B. Final design

1. General report addressing the following issues:

- a) description of the criteria underlying design decisions, description of the materials chosen and how they perform, as well as the design criteria for structures and installations, particularly as regards safety, functionality and the economy of operations;
- b) study and resolution of interferences with existing general utility networks;
- c) indication of the solutions adopted to deal with architectural barriers.

2. Technical and specialist reports such as:

- a) report on structures;
- b) technical report on architectural works: identifies critical points and solutions adopted, describes typologies and detailed design solutions and the reasons underlying the decisions; describes the functional characteristics of the works;
- c) technical report on installations: describes the different installations present in the project, motivating the solutions adopted; identifies and describes the overall functioning of the installation component and aspects related to the civil works;
- d) update initial indications on the plan for demolition and removal of existing works.

3. Graphic documents consisting of:

- a) copy of the general town plan with the exact indication of the area involved in the intervention;
- b) general floor plan on a scale of 1:200;
- c) floor plans and sections on a scale of 1:200 to illustrate all significant profiles of the intervention, supplemented by charts showing all the geometric elements of the project: surface area, volume of the building, total covered area and covered area of individual floors and any other useful element;
- d) plans of the various floors on a scale of not less than 1:100 showing the intended use, the planimetric and altimetric dimensions and the load-bearing structures;
- e) cross-sections and longitudinal sections on a scale of not less than 1:100, with measurements of the net heights of single floors, ceiling thickness and the total height of the building;
- f) all simple contour elevations on a 1:100 scale complete with reference to heights and clearances of surrounding buildings, including schematic elevations of the facades of adjacent buildings;
- g) photorealistic renderings;
- h) charts on a scale of at least 1:100 to illustrate the fundamental aspects of the structural project;
- i) functional diagrams and rough dimensioning of individual installations, both inside and outside;
- l) plans and sections on a scale of not less than 1:100, showing the main layouts of the outside plant networks and the location of the control units of the various systems.

4. Structure and plant calculations

The calculations must make it possible to determine all dimensional elements and demonstrate their full compliance with the architectural and installation aspect and more generally with all other aspects of the project. Structural calculations include the criteria for setting up the calculation, the actions, the verification criteria and definition of the main structural elements that interfere with the architectural aspect and with the other categories of works.

Plant calculations must also allow for the definition of any technical volumes required and, in the case of plant networks and equipment, also for characteristics to be specified.

6. Updating of the document containing the initial indications and provisions for the protection of health and safety in the workplace

7. List of prices per unit: contains the list of unit prices taken from the official price lists in force locally; for any missing items, the relevant price is determined by analysis.

8. Bill of quantities

The bill of quantities is prepared by applying the unit prices of the List mentioned at the previous point to work quantities taken off the final design charts, The total quantities of individual operations are obtained from detailed partial quantity calculations, specifying the corresponding charts precisely.

9. Economic overview of the intervention

The economic overview should include:

- a) the result of the bill of quantities for works carried out on a measurement, lump sum or time and materials basis;
- b) security charges not subject to deduction;
- c) sums available to the Consulate General of Italy in Frankfurt am Main such as:
 - c1) a provision of ten per cent for contingencies and for any work done on a time and materials basis;
 - c2) technical costs relating to the design, necessary preliminary work, safety coordination at the design stage, service conferences, works management and safety coordination at the execution stage, day-to-day assistance and accounting;
 - c3) expenditure on technical and administrative activities related to design, support to the process manager, verification and validation;

c4) expenditure on laboratory tests and technical audits provided for in the tender specifications, technical and administrative testing, static testing and any other specialist tests;

c5) value added tax, any other taxes and contributions due by law.

10. Fire safety design documents

11. Energy diagnosis of existing building

General report and graphic documents relating to the energy surveys carried out to determine building energy performance.

12. Documents required for authorisations to be granted by the competent local authorities

Preparation and presentation by professionals, qualified in Germany, of the documents required to obtain opinions and/or authorisations from the locally competent authorities.

C. Executive design

1. General report addressing the following issues:

a) a detailed description, including specific references to the graphic documents and to what is laid down in the tender specifications, of the criteria underlying executive design decisions, construction details and the achievement and verification of the specified safety and quality levels;

b) illustration of the criteria followed and the decisions made to transfer the spatial, typological, functional, architectural and technological solutions envisaged in the approved final design to the contractual and construction levels;

c) description of investigations, surveys and research carried out in order to reduce the possibility of contingency events during execution.

2. Technical and specialist reports

The same specialised reports already envisaged for the final project must be prepared, illustrating in detail any supplementary surveys, the solutions adopted and what changes are involved with respect to the final project.

The reports should contain an explanation of all the issues examined and the analytical checks carried out during the executive design stage.

3. Executive graphic documents consisting of:

a) documents that develop on a small scale those already included in the final design;

- b) documents necessary for the execution of the works on the basis of findings, studies and investigations carried out during the executive design phase;
- c) documents of all construction details;
- d) photorealistic renderings;
- e) documents illustrating implementation methods in detail;
- e) documents of all the works that are necessary to comply with the specifications laid down by the competent bodies when approving preliminary or final designs or approving specific aspects of the projects;
- f) documents defining the dimensional, performance and assembly characteristics of any prefabricated components;
- g) documents defining the construction phases adopted for the structures.

The documents must be drawn up in such a way that the contractor is able to interpret and execute the work in all its aspects.

4. Executive calculations of structures and installations

Executive calculations must enable structures to be defined and dimensioned in all their general and particular aspects, so as to exclude the need for any variations during execution.

Executive calculations for installations are carried out with reference to operating conditions or to construction stages if these are more onerous than the operating conditions and to the specific intervention purpose and must make it possible to define and dimension all the equipment, pipes, ducts and any other element necessary for the functionality of the installation, as well as to determine its price.

The executive design of the structures and plant is carried out together with the executive design of the civil works in order to demonstrate full compliance between the architectural, structural and plant design and to accurately anticipate dimensions, passages, recesses, locations, crossings and the like and to optimise the construction stages.

Calculations of structures and installations are accompanied by an illustrated report on calculation criteria and methods allowing them to be easily read and assessed.

The executive structural design includes:

- a) general graphic documents (structural work, profiles and sections) on a scale of 1:50 and detailed graphic documents on a scale of 1:10, containing among other things:

- 1) for reinforced or prestressed concrete structures: the layouts of the reinforcement bars indicating the sections and the partial and overall measurements, as well as the reinforcement layouts for prestressing;
- 2) for metal structures: all profiles and parts relating to connections, complete with the shape and thickness of plates, the number and position of nails and bolts, and the thickness, type, position and length of welds;
- 3) for masonry structures: all typological and dimensional elements enabling them to be executed;

b) calculation report containing:

- 1) indication of the reference standards;
- 2) specification of the quality and mechanical properties of the materials and the method of execution where necessary;
- 3) analysis of the loads for which the structures have been dimensioned;
- 4) static checks.

The executive project of the installations includes:

- a) general graphic drawings on a scale of 1:50, and the detailed graphic drawings on a scale of 1:10, with the necessary metric notations;
- b) a detailed descriptive list of the parts of each installation with the relevant calculation reports;
- c) specification of the functional and qualitative characteristics of materials, machinery and equipment.

5. Maintenance plan consisting of:

- a) user manual covering the important parts of the building and technological installations: this must contain all the information needed for the user to be able to make the best use of the property, as well as all the elements needed to limit as far as possible the damage caused by improper use, to allow all the operations necessary for its maintenance that do not require specialist knowledge to be carried out, and to recognise in good time phenomena of abnormal deterioration in order to call for specialist interventions.
- b) maintenance manual covering the important parts of the building and technological installations. In relation to the various technological units, this must provide the characteristics of the materials or components concerned, the necessary indications for correct maintenance as well as for recourse to assistance or service centres.

c) a maintenance programme setting out time or other intervals for the proper management of the property and its parts over the years.

6. Security and Coordination Plan consisting of:

- a) a technical report identifying, analysing and assessing risks to do with the area and organisation of the site, interfering processes and risks additional to those specific to the activities of individual contractors, and with an indication of the measures taken to prevent or reduce risks to the safety and health of workers;
- b) explanatory graphic documents relating to safety aspects.

7. Work schedule

The work schedule consists of a diagram showing a graphic representation of the works plan that can be managed independently in its main aspects from the viewpoint of logical sequence, times and costs.

8. List of unit prices together with relevant analyses

The prices applied to the final project are used, integrated, where necessary, by further prices prepared in the same way.

9. Bill of quantities

The bill of quantities for the executive project integrates and updates the bill of quantities for the final project, in compliance with the same criteria and indications.

10. Economic framework of the intervention

For the content see the corresponding item in the final design, to be updated on the basis of executive design content.

11. Procurement procedure and special tender specifications;

The procurement procedure, to be stipulated under German law, contains clauses for regulating the relationship between the Consulate General of Italy in Frankfurt am Main and the contractor, in relation to the nature of the intervention with particular reference to:

- a) terms of execution and penalties;
- b) work schedule;
- c) suspension or resumption of works;
- d) charges to be borne by the contractor;
- e) accounting for works on a measurement and lump-sum basis;
- f) payment of fees;

- g) controls;
- h) specific procedures and test conditions;
- i) dispute resolution procedures.

The Special Tender Specifications, which concern the technical specifications applicable to the contract, are divided into two parts, one describing the works and the other the technical specifications; they detail:

- a) in the first part, all the elements necessary for a complete technical and economic definition of the works involved in the contract, in addition to the aspects that cannot be fully determined from the graphic documents of the executive design;
- b) in the second part, execution procedures and rules for measuring each process, materials and components acceptance requirements, performance specifications and test procedures and, where necessary, depending on the nature of the work, the order in which specific jobs are to be carried out; if the project involves the use of prefabricated components, the main descriptive and performance characteristics, the documentation to be submitted regarding approval and the results of laboratory tests, as well as the procedures for approval by the project manager, after consultation with the designer, to ensure compliance with the design decisions, must be specified.

12. Documents needed to obtain authorisations from the competent local authorities

Preparation and presentation by professionals, qualified to work in Germany, of the documents needed to obtain opinions and/or authorisations from the competent local authorities.

D. Work management and safety coordination during execution (Work execution stage)

A Works Management Office will be set up consisting of at least the following personnel:

- n. 1 works manager;
- n. 1 professional acting as structural operations manager;
- n. 1 professional acting as operations manager for mechanical installations;
- n. 1 professional acting as operations manager for special electrical installations;
- n. 1 certified fire prevention specialist;
- n. 1 site inspector;
- n. 1 safety coordinator in the execution stage.

The activities, functions and duties of the Works Manager are those referable to the provisions of the relevant legislation in force in Germany and specifically in the State of Hessen (articles 58 and 67 of the HBO "Hessische BauOrdnung"), compatibly with the provisions of Ministerial Decree (Italian Ministry of Infrastructure and Transport) no. 49 of 7 March 2018.

Generally speaking and subject to compliance with the service orders issued by the person in charge of the procedure, the works manager acts independently as regards the technical, accounting and administrative control of the intervention. He gives the contractor all the necessary directives and operating instructions in the form of service orders and checks that the works execution times as indicated in the project schedule are respected. He drafts fact-finding or evidence gathering reports for the Project Manager.

In the phase prior to commencement of operations, the Works Manager certifies the accessibility of the areas and the absence of impediments to intervention feasibility.

The Works Manager will start the execution of the intervention with a report on delivery of the works to the contractor.

During execution of the intervention, it is the responsibility of the Works Manager to accept the materials that the contractor intends to use for execution of the works, and with the help of the operations managers and site inspectors, to verify the presence on site of the authorised firms and personnel and to carry out technical control activities on all the works carried out on site.

The Works Manager is also responsible for administrative and accounting control of expenditure related to the execution of the work or works, through the compilation of accounting documents, which are used to ascertain and record the circumstances giving rise to expenditure, such as:

- a) a work logbook in which the progress of the works is recorded;
- b) work measurement books containing the quantification and classification of the work carried out by the contractor;
- c) the accounting ledger, which contains transcriptions of the entries in the measurement books, and summarises the entire accounting of the works, since the corresponding contractual prices are applied to each batch of work carried out and recorded in the book, so as to determine how the work is progressing not only from the point of view of the quantities carried out but also from that of the sum accruing to the contractor;

d) the state of advancement of the work (SAW, taken from the accounts ledger) which summarises all the works carried out from the start so as to be able to issue receipts for the payment of advances by the Consulate General.

Upon completion of the works and after carrying out the necessary check-ups with the contractor, the Works Manager will prepare a certificate of completion of the works and will assist the inspectors with the final inspection operations.

The activities, functions and tasks of the Safety Coordinator during the execution stage are to be found in the provisions of the relevant legislation in force in Germany. (BaustellV "Verordnung über Sicherheit und Gesundheitsschutz auf Baustellen", and any other relevant regulation) compatibly with the provisions of art. 92 of Legislative Decree no. 81 of 9 April 2008 on "Regulations on the protection of health and safety in the workplace".

During implementation of the work, the coordinator checks application by the companies present on site of the relevant provisions contained in the safety and coordination plan and the correct application of the relevant work procedures, as well as the suitability of the operational safety plans presented by the contractors. Furthermore, he organises cooperation and coordination of activities among the employers, as well as keeping them informed, and reports to the client about any non-compliance by the contractors with the provisions on workers' safety.

5. AMOUNT AND DURATION OF TENDER

5.1 The estimated cost of the works to be carried out for this tender amounts to Euro 2,827,481.13. This amount has been calculated on the basis of the bill of quantities, as per the table in Appendix A to this notice.

The works to be carried out relate to the following categories identified according to Table Z-1 annexed to the DM Justice Decree of 17 June 2016 (or equivalent classes and categories based on the regulations of the respective countries of establishment of the economic operators):

CATEGORY OF WORK	FUNCTIONAL DESTINATION	ID WORKS	DEGREE OF COMPLEXITY	CORRESPON. L. 143/49 CLASSES AND CATEGORIES	AMOUNT
BUILDING	Headquarters and Offices of Companies and Entities, Municipal Headquarters and Offices, Provincial Headquarters and Offices, Regional Headquarters and Offices, Ministerial Headquarters and Offices, Magistrate's Court, Court, Penitentiaries, Barracks with major technical equipment Police headquarters.	E.16	1.20	I/d	€ 1,636,543.03
STRUCTURES	Reinforced concrete structures or parts of structures - Relevant structural inspections - Scaffolding, rigging and temporary structures of more than two years' duration.	S.03	0.95	I/g	€ 109,604.00
INSTALLATIONS	Installations for the supply, preparation and distribution of water inside buildings or for industrial purposes - Sanitary installations - Domestic or industrial sewage installations and works relating to the treatment of waste water - Distribution networks for liquid or gaseous fuels - Installations for the distribution of vacuum compressed air and medical gases - Fire-fighting installations and networks.	IA.01	0,75	III/a	€ 312,425.36
INSTALLATIONS	Heating systems - Cooling, air conditioning, air treatment systems - Mechanical fluid distribution systems - Solar thermal systems.	IA.02	0,85	III/b	€ 315,437.98
INSTALLATIONS	Electrical installations in general, lighting, telephone, security, fire detection, photovoltaic installations in complex buildings and constructions - structured cabling - fibre optic installations - individual equipment for laboratories and pilot plants of complex type.	IA.04.	1,30	III/c	€ 453,410.76
TOTAL					2,827,481.13

5.2 The estimated total amount of services under the tender is EUR 806,836.80 including expenses and additional charges, and excluding social security and taxes.

This amount has been determined on the basis of the professional services required at point 4 above and applying, for each work category, the parameters laid down in the HOAI Honorarordnung für Architekten und Ingenieure, (see Appendix A).

5.3 Remuneration for the services covered by the contract will be settled in euros. Payment will be made in accordance with the terms of the contract. The successful tenderer will be obliged to use a dedicated current account for the assignment, even if not exclusively. All payment instruments relating to the assignment must be traceable and bear the tender identification code._(CIG) 8918897AA1.

5.4 The anticipated execution time for processing services is as follows:

- **Preliminary design: 45** natural, consecutive **days** from the signing of the contract.
- **Any adjustment to the preliminary design** (upon verification of the project level and indications received from obtaining the opinion or authorisation however denominated from the local authorities): **15** natural, consecutive **days**.
- **Final design: 90 days** from approval of the preliminary design by the Consulate General of Italy in Frankfurt am Main.
- **Any adjustment to the final design** (request for authorisations and any adjustment to the indications received on the final design and verification of the design level): **30** natural, consecutive **days**.
- **Executive design: 60 days from approval** of the final design by the Consulate General of Italy in Frankfurt am Main, and the local authorities responsible for issuing the building permit.
- **Works management and security coordination during execution:** these will be carried out throughout the duration of the works, following a separate tender for their execution.

6 SUBJECTS ELIGIBLE TO COMPETE

6.1 The procedure for the award of services referred to in point 4 above is open to providers of engineering and architectural services, individual professionals, partnerships, associations of professionals, engineering companies, temporary associations and consortia of such entities formed in accordance with the legislation in force in their country of establishment.

6.2 These subjects must be registered with the appropriate professional bodies, provided they meet the requirements set out in point 7 below.

6.3 Up to 10 (ten) subjects will be selected and subsequently invited to the second stage of the restricted procedure pursuant to Article 28 of Directive 2014/24/EU, to be awarded on the basis of the criterion of the most economically advantageous offer.

If the number of candidates expressing interest is fewer than 10 (ten), all eligible candidates will be invited to the next stage.

If the number of entities expressing interest exceeds 10 (ten), the selection of the Economic Operators to be invited to the next stage of the procedure will be made in accordance with paragraph 13 of this Notice.

7 PARTICIPATION REQUIREMENTS

7.1. Requirements of a general nature

Participation is open to economic operators for whom:

- a) there are no grounds for exclusion pursuant to Article 57 of Directive 2014/24/EU of the European Parliament and Council of 26 February 2014 on public tenders, nor are there any such grounds as per Article 80 of the Code of Contracts Legislative Decree 50/2016 or equivalent situations in local law as grounds for exclusion from tenders or as grounds preventing the signing of contracts with the Public Administration (arts. 123 and 124 of the GWB - Gesetz gegen Wettbewerbsbeschränkungen).
- b) there is no multiple participation, i.e. no more than one candidate is present at the same time and in any capacity whatsoever in this procedure;
- c) directly or through any other controlled, controlling or affiliated entity, they have not carried out any support activity pertaining to the intervention referred to in this procedure, nor that any of their employees or consultants on an annual basis and with an exclusive relationship have participated in such support activity.

7.2. Requirements of professional eligibility

The economic operator bidding for the tender must possess and indicate:

- a) *(for all types of companies and consortia)* **entry in the commercial register** of the Chamber of Commerce, Industry, Crafts and Agriculture for activities consistent with those covered by this tender procedure. Candidates not resident in Italy must submit the corresponding commercial register or a sworn statement, in accordance with the procedures ruling in the State in which they are established;
- b) *(for individual or associated professionals)* **registration with the competent professional bodies.** An economic operator not established in Italy is required to provide proof of registration, in accordance with the procedures in force in the State in which he is established, or by means of attestation, under his own responsibility, that the certificate produced was issued by one of the professional bodies set up in the country in which he is established.

The candidate must have available and indicate, within the context of the subjects (natural persons) referred to in point 6) above, the professionals who meet the following professional and qualification requirements, accompanying the indications with details of their registration with the relevant orders, registers or other official lists imposed under or required by the laws on technical professions in the country in which they are established:

- **an architect;**
- **a structural engineer;**
- **an electrical engineer;**
- **a mechanical engineer;**
- **a professional responsible for fire protection design;**
- **a construction physicist;**
- **a person qualified to coordinate health and safety on construction sites.**

The professional figures listed above may coexist in the same person (natural person).

The attention of economic operators is drawn to the fact that for the provision of the service referred to in point 4 of this notice, paras. A.9, B.12 and C.12, local legislation requires that the formalities with the local authorities be submitted by professionals recognised in Germany.

7.3. Economic, financial and technical-professional capacity requirements

The candidate must possess and indicate the following requirements:

- a) **Insurance cover in respect of professional risks** for a guaranteed maximum amount per insured party, per claim and per insurance year of at least **Euro 900,000**;
- b) **Average annual turnover based on the best three of the last five financial years preceding the date of publication of the tender**, for engineering and architectural services equal to at least the estimated amount on the basis of the call for tender referred to in point 5.2 above, i.e. **EUR 806,836.80**;
- c) Two engineering and architectural projects have been **successfully completed in the last ten years** relating to works belonging to each of the classes and categories of works as per point 5.1 above, to which the services to be awarded refer (or to equivalent classes and categories according to the regulations of the respective countries of establishment of the economic operators), for a total amount equal to at least **0.6 times the estimated amount of the works of Euro 2,827,481.13**, calculated with regard to each of the classes and categories and referring to types of works similar in magnitude and technical characteristics to those to be awarded. The minimum amounts of the works, by class and category, are shown in the following table:

WORKS CATEGORY	ID WORKS	CORRESPON. L. 143/49 CLASSES AND CATEGORIES	AMOUNT OF WORKS	MINIMUM AMOUNT OF EACH OF THE TWO DELIVERABLES PER CATEGORY
BUILDING	E.16	I/d	€ 1,636,543.03	€ 981,925.82
STRUCTURES	S.03	I/g	€ 109,604.00	€ 65,762.40
INSTALLATIONS	IA.01	III/a	€ 312,425.36	€ 187,455.22
INSTALLATIONS	IA.02	III/b	€ 315,437.98	€ 189,262.79
INSTALLATIONS	IA.04.	III/c	€ 453,410.76	€ 272,046.46

- d) *for applicants organised into companies* (professional and engineering companies) the **average annual number of technical staff** used in the last three years (including active partners, employees and consultants with annual coordinated and continuous collaboration contracts registered in their professional registers, if any), equal to **twice the number** of people indicated in point 7.2 letter b) above of this Notice;

- e) *for professionals, individual and in association, a minimum number of technical staff* (including active partners, employees and consultants with coordinated and continuous collaboration contracts on an annual basis registered in their respective professional registers, if any), **equal to twice the number** of people indicated in point 7.2 letter b) above of this Notice.

For temporary associations:

1. the authorised agent must possess the requirements to a higher degree than any of the principals;
2. the economic/financial and technical/professional requirements referred to in point 7.3. can be possessed cumulatively by the Association.

Irrespective of the legal nature of the entity to which the contract is awarded, the assignment shall be executed by professionals entered in the appropriate registers envisaged by the professional regulations in force in the country where they are established, who are personally responsible and are indicated by name at the time of submission of the tender, specifying their respective professional qualifications. The tender must also indicate the professional responsible for coordinating the various specialist services.

8. ASSESSMENT OF SERVICES

With reference to the services referred to in point 7.3(c) of this notice, it should be noted that:

a) the only works eligible for evaluation are those for which the technical services were started and completed within the last 10 years with respect to the date of publication of this notice, or the part thereof completed in the same period in the case of services started earlier;

b) the effective amount of individual works to be considered for the purposes of the requirements is:

- The amount paid if the work is completed;
- The amount approved or budgeted for in the event of the work not having been contracted out;
- services carried out in an association with other professionals must be accounted for with reference to the percentage share of the activity carried out by the tenderer within the association;
- services performed in the context of joint assignments are to be accounted for as proportionate to the number of professionals assigned.

c) by similar works are meant renovation works and functional and plant engineering enhancements of existing buildings intended for public functions.

9. GROUNDS FOR EXCLUSION

Excluded from the tender without the envelope being opened are those candidates whose application is received after the deadline indicated in this notice regardless of how long the delay is and regardless of the date of dispatch, delivery being the responsibility of the sender, and those candidates who, following verification, find themselves in one of the cases referred to in Article 57 of Directive EU/24/2014 and Article 80 of the Code of Contracts Legislative Decree 50/2016 and in the equivalent situations laid down by German law as grounds for exclusion from participation in tenders (arts. 123 and 124 of GWB - Gesetz gegen Wettbewerbsbeschränkungen).

The Contracting Authority reserves the right to verify at any time during the procedure that the general, professional, technical and financial capacity requirements are met.

10. SUBCONTRACT

Subcontracting is permitted for the performance of the services indicated at point 4, letters A.9, B.12 and C.12 above.

When submitting the application form, in his self-declaration on the absence of grounds for exclusion and on the possession of the necessary requirements (Annex 2 - ESPD) the economic operator must indicate whether or not he intends to use subcontracting.

11. APPLICATION PROCEDURE

11.1 The envelope containing the request for invitation and the documents indicated must be properly sealed and sent in by the postal service or by an authorised delivery agency **by 12.00 noon, local time, on 10th February 2022**, exclusively to the following address:

GENERAL CONSULATE OF ITALY AT FRANKFURT AM MAIN

ADMINISTRATIVE OFFICE

Danziger Platz, n.12, 60314 Frankfurt am Main

Att. RUP Enrico Angeli

11.2 Applicants may also hand-deliver the envelope, by the stipulated deadline, to the Administrative Office of the Italian Consulate General in Frankfurt am Main from Monday to Friday from 9.00 a.m. to 12.00 p.m., at Danziger Platz, no. 12, 60314 Frankfurt am Main. The delivery staff will issue a receipt indicating the date and time of delivery.

Timely delivery of the packages is at the sole responsibility of the sender.

11.3 The envelope, duly sealed by attaching a strip of glued paper or adhesive tape or equivalent to the flap of the envelope to ensure security against tampering, must bear on the outside the information relating to the tenderer/candidate (name or company name, tax code, address, telephone number, certified e-mail and/or normal e-mail for communications) and the information relating to the subject of the procedure. In particular, the envelope must be marked as follows:

“DO NOT OPEN – Contains a notice regarding a call for tenders TO ASSIGN THE SERVICES OF "PRELIMINARY DESIGN", "FINAL DESIGN", "EXECUTIVE DESIGN", "WORKS DIRECTION" AND "COORDINATION OF SAFETY IN THE DESIGN AND EXECUTION PHASE" PERTAINING TO THE WORK OF RENOVATION AND FUNCTIONAL ENHANCEMENT OF THE NEW PREMISES OF THE CONSULATE GENERAL OF ITALY IN FRANKFURT AM MAIN LOCATED IN ESCHERSHEIMER LANDSTRASSE 23, 60322 FRANKFURT AM MAIN (GERMANY)– CIG 8918897AA1

11.4 It should be noted that in the case of candidates eligible as associations, the names, addresses and tax codes of the individual members must be indicated on the envelope, whether they are already constituted as an association or whether they have still to be constituted, and it must be pointed out, if this is the case, who agent or the consortium/joint executives are.

The name of the economic operator, as described above, must also appear on the outer envelope in which the carrier may place the envelope containing the tender.

12. CONTENT OF THE ENVELOPE

The envelope must contain the following documents:

- 1) **APPLICATION FORM (*Annex 1*)** to be drawn up in Italian or English, signed by the Legal Representative of the candidate; a photocopy of an identity document of the signatory must be attached to the application. The application may also be signed by a proxy of the Legal Representative, in which case a certified copy of the original power of attorney must be attached, under penalty of exclusion from the tender.

In the case of a temporary association or a consortium that has not yet been constituted, the application must be submitted individually by all the persons who will form the said association or consortium.

In the case of a consortium of companies, the list of companies making up the consortium must be provided, but only those contributing to requisites that are not possessed directly by the consortium.

In their application, economic operators must declare:

- A. the participation procedure as a single or associated economic operator (specifying the roles of the different participants);
- B. the legal status of the economic operator, from among those listed at point 6 above;
- C. possession of the requisites of professional competence referred to at point 7.2 above;

In particular, such possession must be specified with an indication of the legal relationship between the natural persons named and the applicant, as follows:

a. indication of company owners and legal representatives:

- a.1. in the case of self-employed professionals, the head partner in the firm;
- a.2. in the case of associations of self-employed professionals, all the associated professionals;
- a.3. in the case of firms of professionals and/or temporary associations of professionals, whether constituted or still to be constituted, the names of all the partners/associated professionals;
- a.4. in the case of engineering firms:
 - a.4.1. professionals/administrators with power of representation;
 - a.4.2. the technical director;
 - a.4.3. administrators with power of representation who are not professionals;
 - a.4.4. if the engineering firm has fewer than four partners, the sole shareholder or the majority shareholder, if different from the persons already mentioned;

b. professionals, other than those referred to in point (a) above, must be identified who are to be used for performing the services, such as:

- b.1. salaried professionals;

b.2. professional consultants with an annual contract;

c. for professional firms, engineering firms and consortia of companies: details of enrolment in the registers of the Chamber of Commerce, Industry, Crafts, Agriculture or other official registers in the case of candidates established in a country other than Italy; the declaration must be complete with ID numbers and place of registration, as well as the particulars of all the following natural persons:

1. all partners in the case of partnerships;
2. all directors with powers of representation, in the case of limited liability companies, cooperatives or consortia;
3. the sole shareholder or the majority shareholders in the case of limited liability companies with fewer than four shareholders.

d. indication of all the persons referred to in point 7.2(b) above who are responsible for the works, with details of their registration with the relevant professional Associations/Orders;

- D. not to fall into any of the cases of grounds for exclusion referred to above in Article 57 of Directive 2014/24/EU, nor in the situations of exclusion envisaged in Article 80 of Legislative Decree 50/2016 and in the equivalent situations provided for by German law as grounds for exclusion from tenders or as grounds for preventing the signing of contracts with the Public Administration (GWB - Gesetz gegen Wettbewerbsbeschränkungen).
- E. possession of the economic-financial and technical-professional requirements referred to in point 7.3 above).
- F. no multiple participation, i.e. no more than one candidate is present at the same time and in any capacity whatsoever in the same procedure.
- G. that, directly or through any other controlled, controlling or affiliated entity, they have not engaged in support activities for the intervention involved in this procedure, and none of their employees or consultants contracted on an annual or an exclusive basis have participated in such support activities.
- H. acceptance without condition or reservation of all the provisions contained in the Call for Tender and the Tender Notice, and in its Appendices and Annexes, including the confidentiality clause set out at point 3.2 above.

2) **ESPD (Annex 2)** to certify the absence of the grounds for exclusion referred to in Article 57 of Directive 2014/24/EU and those envisaged by Article 80 of Legislative Decree 50/2016 as well as the equivalent situations envisaged by local legislation; to confirm possession of the economic-financial and technical-professional requisites set out in the Tender Notice and any intention to subcontract part of the service to third parties.

3) Limited to temporary associations (TA):

- a. In the case of a pre-existing temporary association, an **AUTHENTIC COPY OF THE SPECIAL COLLECTIVE MANDATE**, indicating the party designated as qualified agent, the share owned and the services or the part of the services to be entrusted to each economic operator in the association; alternatively, a declaration in lieu of a notarial deed certifying that the said agreement has already been entered into, indicating details and the contents thereof;
- b. In the case of a temporary association that has not yet been established, **DECLARATION OF AN UNDERTAKING TO ESTABLISH THE TA (Annex 3)** by conferring a special collective mandate with representation by one subject as qualified agent, indicating for each member the respective shares owned and the services that each of them will perform for this contract;

In both cases (a) and (b), each economic operator in the association or about to join the association must sign a separate declaration as set out in Annex 2.

4) Limited to consortia of companies:

- a) declarations relating to possession of the requisites referred to in points 7.1), 7.2), 7.3), must cover the requisites possessed by the consortium itself (while the requisites possessed by the consortium companies must be declared by the latter, separately) pursuant to point b below);
- b) they must declare the list of members making up the consortium, but only those contributing to possession of the consortium's requisites not possessed directly by the consortium within the meaning of point a) above;
- c) they must indicate whether they intend to perform the services directly through their own consortium organisation or whether they will have recourse to one or more consortium members and, in the latter case, they must indicate the consortium member or members for whom the consortium intends to express interest;

d) the consortium, the consortium companies referred to in point b), as well as the consortium company or companies indicated pursuant to point c) if different, must declare the absence of grounds for exclusion and the possession of their own requisites for participation in this award by submitting separate declarations as per Annex 2.

13. QUALIFYING PROCEDURE

13.1 Following expiry of the deadline set out in this notice for the submission of applications, a special Commission chaired by the Project Manager will, in confidential session and on the basis of the documentation produced by the candidates, proceed to verify the adequacy of the documentation submitted, in relation to the requirements necessary for participation and any other requirements, including the truthfulness of the various declarations, as well as checking that:

- economic operators who are members of an association have not applied in any other form, either individually or in other associations, on pain of exclusion of both associations;
- consortium members, on whose behalf the stable consortia have declared they are applying, have not submitted an application independently or in any other form, on pain of exclusion of both the consortium and the consortium members.

Minutes will be kept of the examination of the applications. At the end of the assessment, the Commission will draw up a list of the successful candidates and those who have been rejected, stating the reasons for the latter.

13.2 Declarations and documents may be subject to requests for clarification/additions/adjustments by the Consulate General of Italy in Frankfurt am Main. Failure to comply, or improper or late compliance with such requests by the contracting authority, shall constitute grounds for exclusion. Excluded economic operators will be informed as soon as possible of their exclusion and of the reasons for rejection of their application at the PEC or email address indicated as domicile in the application form.

13.3 From among the selected economic operators, up to 10 (ten) entities, when there are that many, will be identified and invited to the next stage of the restricted tender procedure pursuant to Article 28 of Directive 2014/24/EU, to be awarded on the basis of the most economically advantageous bid criterion.

13.4 Where the number of applications admitted exceeds ten, the Administration will select the ten operators to be invited to submit a bid, on the basis of the highest score obtained on the basis of the following criteria:

1. **Specific average annual turnover, as reported in the best three of the last five financial/fiscal years available, prior to the date of publication of the notice, for engineering and architectural services for an amount greater than one and up to 1.5 times the estimated amount on the basis of the call for tenders indicated in point 5.2 of this notice, i.e. EUR 806,836.80: 1 POINT;**
2. **Specific average annual turnover, as reported in the best three of the last five financial /fiscal years available, prior to the date of publication of the notice, for engineering and architectural services for an amount greater than 1.5 times the estimated amount on the basis of the call for tenders indicated in point 5.2 of this notice, i.e. EUR 806,836.80: 2 POINTS;**
3. **In the last ten years, the tenderer has carried out engineering and architectural services** relating to works similar* in dimensions and technical characteristics to those to be awarded and relating to the categories of works listed in the table at point 5.1 of this Notice (or to equivalent classes and categories according to the regulations of the respective countries of establishment of the economic operators), for a total amount **higher than 0.6 times and up to 0.8 times the estimated amount of the works of EUR 2,827,481.13: 1 POINT;**
4. **In the last ten years, the tenderer has carried out engineering and architectural services** relating to works similar* in dimensions and technical characteristics to those to be awarded and relating to the categories of works listed in the table at point 5.1 of this Notice (or to equivalent classes and categories in accordance with the regulations of the respective countries of establishment of the economic operators), for a total amount **higher than 0.8 times the estimated amount of the works of EUR 2,827,484.13: 2 POINTS;**
5. **Within the past five years, design of a building that has obtained an Energy Performance Certificate (EPC) of at least class B, pursuant to Directive 2010/31/EU and subsequent amendments and additions: 1 point for each building, UP TO A MAXIMUM OF 2 POINTS.**

** By similar works is meant works of renovation and functional and plant engineering enhancement of existing buildings used for public functions.*

In the event of a tie between candidates ranked in the last eligible position (tenth place), the Consulate General of Italy in Frankfurt am Main will invite all those who have obtained the same score in the last eligible position.

If the number of applications accepted is below ten, the Consulate General of Italy in Frankfurt am Main will **not** add to the number of operators to be invited to the procedure, reserving the right to proceed with even just one valid application.

The minutes and the list of economic operators who have submitted an application and the list of economic operators actually invited to submit a tender are confidential; the right of access to these documents is withheld until the expiry of the deadline for the submission of tenders laid down in the invitation.

Once examination of the documentation produced has been completed, the Project Manager will send the letter of invitation to the economic operators admitted to submit bids and will inform them of exclusions if any.

14. FURTHER INFORMATION

The contract will be awarded according to the criterion of the economically most advantageous offer through the evaluation, by a jury, of the best quality/price ratio (weighting: technical evaluation 80%, price 20%).

Evaluation criteria for the quantitative and qualitative elements will be communicated in the invitation letter directly to the selected economic operators, together with the date for carrying out the on-site survey and collecting the technical documentation necessary for submitting the technical and financial bid.

The delivery of this technical documentation will be subject to the economic operator signing an undertaking of confidentiality regarding the information provided.

In the event of no tender being found to be suitable or economically viable, the Consulate General of Italy in Frankfurt am Main reserves the right not to award the contract. Likewise, the contracting authority reserves the right to award the contract even if only one valid tender is received. In the event of cancellation or revocation of the tender procedure, no legitimate expectation of the conclusion of the tender procedure nor any right to compensation, redress or indemnity for the costs incurred in participating in the procedure may be claimed by tenderers or third parties.

15. CLARIFICATIONS

Entities wishing to take part may obtain clarification on this procedure by submitting written questions to the person in charge of the procedure at the following e-mail address: canc.francoforte@esteri.it at least 10 (ten) days before the deadline for the submission of applications. Requests for clarification must be formulated in Italian or English. Clarifications cannot be provided by telephone.

At least 6 (six) days before the deadline for the submission of applications, the Contracting Authority will publish anonymously replies to requests for clarification and/or any other relevant

information concerning this procedure on the dedicated page on its website https://consfrancoforte.esteri.it/consolato_francoforte/it/la_comunicazione/trasparenza_e_merito/bandi-di-gara-e-contratti.html, in Italian and in English.

You are advised to consult the website of the contracting authority regularly in order to be made aware in good time of any further useful notices and communications that may be published there.

16. PROCESSING OF PERSONAL DATA

Pursuant to Article 13 of EU Regulation 2016/679 on the protection of individuals with regard to the processing of their personal data and on the free movement of such data (hereinafter EU Regulation or GDPR), as well as in compliance with German law on the processing of personal data (BDSG "Bundesdatenschutzgesetz"), the contracting authority provides the necessary information in *Appendix B - Statement on the processing of personal data*.

17. APPLICABLE LEGISLATION AND COMPETENT COURT

The provisions of Directive 2014/24/EU and DM MAECI 192/2017 "Regulations containing the general directives to govern the procedures for the selection of the contractor and the execution of the contract to be carried out abroad, pursuant to Article 1, paragraph 7, of Legislative Decree No. 50 of 18 April 2016", apply to this tender.

This Notice is published in Italian and English. In the event of any conflict between the two texts, the Italian shall prevail.

Any disputes relating to this award shall be subject to the exclusive jurisdiction of the TAR (Regional Administrative Court) del Lazio - Via Flaminia 189, 00196 Roma RM (Italy).

ANNEXES AND APPENDICES

Annex 1 – Application form

Annex 2 – ESPD

Annex 3 – Declaration of commitment to set up a TA

Appendix A – Calculation of fees

Appendix B – Statement on the processing of personal data

This call for applications was published by the Official Journal of the European Union on 27th December 2021 with reference 2021/S 251-667338 and sent for publishing to the Official Gazette of the Italian Republic, V Serie speciale Contratti Pubblici, on 28th December 2021.

Frankfurt am Main, 28th December 2021

Head of the Procedure

Enrico Angeli


