

# Azienda Regionale Centrale Acquisti S.p.A.

## Call for Tenders

### **Section I: Contracting authority**

#### **I.1) Name and addresses:**

ARCA – Azienda Regionale Centrale Acquisti S.p.A., Via Fabio Filzi, n. 22, 20124, Milan, Italy, Code Nuts ITC45  
Telephone: +39 02.92.895.1, e-mail: [ufficiogare.arca@pec.regione.lombardia.it](mailto:ufficiogare.arca@pec.regione.lombardia.it); Main address: (URL)  
[www.arca.regione.lombardia.it](http://www.arca.regione.lombardia.it) e [www.sintel.regione.lombardia.it](http://www.sintel.regione.lombardia.it)

#### **I.2) Joint procurement:**

The contract is awarded by a central purchasing body

#### **I.3) Communication:**

The procurement documents are available for unrestricted and full direct access, free of charge, at: (URL)  
[www.arca.regione.lombardia.it](http://www.arca.regione.lombardia.it)

Additional information can be obtained from the abovementioned address.

Tenders or requests to participate must be submitted:

- electronically via: (URL) [www.sintel.regione.lombardia.it](http://www.sintel.regione.lombardia.it)

-in paper form: at the abovementioned address.

**I.4) Type of the contracting authority:** Body governed by public law

**I.5) Main activity:** Other activity: Azienda Regionale Centrale Acquisti per la Regione Lombardia

### **Section II: Object**

#### **II.1) Procurement Entity**

**II.1.1) Title:** Pre-commercial procurement for R&D services enabling the creation of a “Robotic exoskeleton system”

Reference number: ARCA\_2018\_132

**II.1.2) Main CPV code:** 73300000-5

**II.1.3) Type of contract:** Services

**II.1.4) Short description:** This pre-commercial procurement, pursuant to art.158 co.2 of Legislative Decree no. 50/2016, regards the execution of research and development (R&D) services enabling the creation of a “Robotic exoskeleton for motor rehabilitation in neurological patients with upper limb motor deficit”

**II.1.5) Estimated total value:** Euro 2.609.745,91 (excluding VAT )

#### **II.1.6 ) Information about lots:**

This contract is divided in lots: no

**II.2.2) Additional CPV code(s):** 73120000-9, 73420000-2 o 73430000-5.

**II.2.3) Place of performance:** NUTS Code: ITC4; Main site or place of performance: The Experimentation STEP (STEP 3) will take place at the premises of MOTION LAB (Movement Opportunities and Technology Innovations fOr Neurorehabilitation LABORatory) belonging to the Casa di Cura del Policlinico (CCP).

#### **II.2.4) Description of the procurement:**

The pre-commercial procurement consists of three steps:

- **STEP 1-SOLUTION ELABORATION:** Open participation to all interested parties – the expected number of successful bidders amount to 4. Research and development services regards the design of the Innovative Solution and the elaboration of an implementation plan.
- **STEP 2-PROTOTYPE DEVELOPMENT AND VALIDATION:** Participation reserved for STEP 1 successful

bidders – the expected number of successful bidders amount to 3. Research and development services are aimed at creating a prototype of the innovative solution designed in STEP 1.

- **STEP 3-EXPERIMENTATION:** Participation reserved for STEP 2 successful bidders - the expected number of successful bidders amount to 2. Research and development services are aimed at experimenting the previously developed prototype in a real context, with the help of patients carefully selected by the proposing Health Institution.

STEP 1 successful bidders will be requested to sign a Framework Agreement and a STEP 1 Executing Contract, in accordance with the templates attached to the Tender Specification, which will regulate the relations between the parties relatively to the research and development activities. The following STEPS will be ruled by the Framework Agreement and by the additional related Contracts (STEP 2 Executing Contract, STEP 3 Executing Contract and Intellectual Property Rights Agreement) signed by the successful bidders of each STEP.

Pursuant to Article 158, paragraph 2 of Legislative Decree no. 50/2016, this tender procedure is excluded from the scope of application of the Code of Contracts, with the exception of the general principles contained therein.

#### **II.2.5) Award criteria:**

Price is not the only award criterion and all the criteria are stated in the procurement documents.

**II.2.6) Estimated value:** Euro € 2.609.745,91 (excluding VAT.)

#### **II.2.7) Duration of the contract:**

Duration in months: 45

The contract is subject to renewal: no

#### **II.2.10) Information about variants:**

Variants will be accepted: no

#### **II.2.11) Information about options:**

Options: no

**II.2.13) Information about European Union funds:** The contract is relative to a project and/or program financed by European Union funds: yes - ROP ERDF 2014-2020

#### **II.2.14) Additional information:**

**CUP Code:** F41B17000740009

**Tender Identification Code (CIG):** 7394914C12

### **Section III: Legal, economic, financial and technical information**

#### **III.1) Conditions for participation**

##### **III.1.1) Suitability to pursue the professional activity, including requirements relating to the enrollment on professional or trade register**

Each bidder (in accordance with the ways it is competing and in compliance with the provision of the Tender Specification) must possess, under penalty of exclusion from the procedure:

- a) for Italian citizens, residing in Italy, registration in the C.C.I.A.A. or in the register of the provincial commissions for the artisanship or in the relevant professional register in accordance with the provisions of paragraph 3 of the art. 83 of Legislative Decree 50/2016, with the exception of non-economic public entities;

- b) for citizens of another Member State, not residing in Italy, proof of registration, according to the procedures in force in the State of residence, in one of the professional or trade registers as of Annex XVI of the D.Lgs. No. 50/2016, by certified declaration or by a declaration released in accordance with the procedures in force in the Member State in which it is residing or by a declaration, released under its own responsibility, stating that the certificate has been issued by one of the professional or trade registers established in the country in which it is resident.

Express exemption from the registration referred to in the previous point a) is made for:

- public administrations and public entities that fall within the scope of application of art. 1, paragraphs 1 and 2 of Legislative Decree no. 165/01 or fall within the list annexed to Law 311/2004 and any subsequent amendments and additions, except for public entities that carry out trade activities pursuant to art. 7, paragraph 2, number 5) of Presidential Decree no. 581/95.
- bidders not registered in professional registers.
- bidders having their registered office/legal domicile in another EU Member State/Non-EU, if exempt from this obligation in accordance with the legal framework of the country where they are located.

### **III.1.3) Technical and professional ability**

Each bidder (in accordance with the ways it is competing and in compliance with the provision of the Tender Specification) must possess as an essential element of the bid, under penalty of exclusion from the procedure:

- a) have performed, during the three years prior to the publication of the Call for tender, at least one (1) research and development service amounting to at least Euro 100.000,00 or the development of at least one (1) product characterized by a technological content amounting to at least Euro 100.000,00 or the creation of at least one (1) product with a technological content of at least Euro 100.000,00.
- b) have sufficient accounting and organizational structures aimed at guaranteeing the management, exploitation and/or sale of the intellectual propriety rights deriving from research, as well as have equipment, material and technical equipment suitable for the execution of the research and development services.

Details regarding the requirements that must be possessed in case of participation in Temporary business grouping or Consortium are stated in the Tender Specification.

## **Section IV: Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure:**

Open procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system:**

The procurement involves the establishment of a framework agreement: yes

Framework Agreement with several operators

Envisaged maximum number of participants in the framework agreement: [4]

**IV.1.8) Information about the Government Procurement Agreement (GPA):** The procurement is covered by the Government Procurement Agreement: no

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

**Notice number in the OJ S: 2017/S 150-310393**

It is published also on the following website:

<http://www.fesr.regione.lombardia.it/wps/portal/PROUE/FESR/Eventi/DettaglioEvento/appalti-pre-commerciale-2017/appalto-pre-commerciale-2017>

**IV.2.2) Time limit for receipt of tenders or requests to participate:**

Date: 08/08/2018, Local time: 14.00

**IV.2.4) Languages in which tenders or requests to participate may be submitted:** Italian and English

**IV.2.6) Minimum time frame during which the tenderer must maintain the tender:** Duration in months: 6 (from the date stated for receipt of tenders)

**IV.2.7) Conditions for opening of tenders:** Date: 09/08/2018, Local time: 10:00.

Place: at the premises of Azienda Regionale Centrale Acquisti S.p.A., at the address in point I.1

Information about authorized persons and opening procedure: a person appointed by each bidder, in compliance with the procedure stated in the Tender Specification.

**Section VI: Complementary information**

**VI.1) Information about recurrence:** This is a recurrent procurement: no

**VI.2) Information about electronic workflows:** electronic invoicing will be accepted

**VI.3) Additional information:** **1)** The tender procedure is managed, alternatively, either in paper form or through the IT system called Sintel, accessible from the website [www.arca.regione.lombardia.it](http://www.arca.regione.lombardia.it), the description and methods of use for the purpose of submitting the bid is specified in the Tender Specification and in the relative Annex as well as in the technical manuals available on the website [www.arca.regione.lombardia.it](http://www.arca.regione.lombardia.it). **2)** The specific provisions concerning: the research and development activities subject of the procedure, the modalities for submitting offers, the assessment elements, the opening bid per unit - which can not be exceeded in the tender, under penalty of exclusion from the tender- the subcontracting, the other exclusion causes and the other tender information are contained in the tender specification and its related annexes. **3)** The overall the Research and Development services shall last 28 months. **4)** At least 70% of the Research and Development services value must be carried out within the Member States of the European Union. **5)** Having received additional public funding for the expenses incurred in relation to research and development services is a reason for exclusion, where this involves a double funding mechanism or a combination of different sources of public funding, in contrast with the Community legislation. **6)** The Tender Specification also contain the participation modalities in case of (i) temporary business groupings, in case of (ii) aggregations of companies belonging to a business network, and in case of (iii) consortia. **7)** Bidders finding themselves in one of the control situations described by art. 2359 of the Italian Civil Code or in any control situation, even a *de facto* one, are not allowed to participate to the tender, if the control situation or the relationship: i) implies that the bids are attributable to a single decision-making center, ii) has influenced the formulation of the bid. Bidders for which it is ascertained that the relative offers are attributable to a single decision-making center, based on univocal elements, will also be excluded from the tender. **8)** Partial and/or conditional bids are not allowed as specified in the Tender Specification and in its annexes. **9)** The bidders, by submitting the bids, consent the processing of their personal data, in accordance with REGULATION (EU) 2016/679 General Regulation on Data Protection (GDPR), of the 27 April 2016, for the procurement and the contractual needs. **10)** For the purpose of stipulating the Framework Agreement and STEP 1 Executing Contract, the economic operators will be required to provide a deposit amounting to 10% of STEP 1 award amount in the manner stated in the Tender Specification. In case of award of STEP 2 and STEP 3, the Supplier has to integrate the deposit when signing the Executing Contracts for the higher amount to be quantified up to 10% of the award amount of each of the aforementioned steps, without prejudice to any reductions, in compliance with what stated within the Tender Specification. **11)** Information and clarifications on the tender documents can be requested, in accordance with what stated in the Tender Specification, no later than 27/07/2018, Local time: 13:00. The tender documents clarifications will be communicated/published in the manner specified in the Tender Specification. **12)** The bidders are required to indicate, while submitting the bid, the domicile chosen for receiving the communications, taking note that ARCA S.p.A. will send them in the manner indicated in the aforementioned attachment. **13)** Dr. Carmen Schweigl is designated as the Head of the procedure for this procedure. **14)** The Selection board pursuant to art. 77 Legislative Decree 50/2016 will consist of 3 commissioners.

**VI.4) Procedures for review**

**VI.4.1) Review body:** Official name: Regional Administrative Court (Tribunale Amministrativo Regionale – TAR) of Lombardia Milano, Postal Address: Via Corridoni, 39, Postal Code: 20122 Town: Milan, Country: Italy.

**VI.4.3) Review procedure:** Precise information on deadline(s) for reviewing procedures: against this Call for Tender, can be brought appeal forward the Regional Administrative Court (TAR) of Milan within 30 days from the in the GURI publication.

**VI.5) Date of dispatch of this notice:** 16/03/2018

**Azienda Regionale Centrale Acquisti S.p.A. The Head of the procedure: Dr.ssa Carmen Schweigl**