



ITALIAN TRADE AGENCY

Seoul Office

OPEN CALL FOR BIDS

Subject: Procurement of marketing and communication services for High Street Italia project under art. 7 section 2, letter b) of Ministerial Decree no. 192/2017 (MD 192/2017) C.I.G. n° A00D7C5FD2

PLEASE READ THIS BID ANNOUNCEMENT CAREFULLY AND VERIFY IN ADVANCE THE REQUIREMENTS. INCOMPLETE SUBMISSION WILL NOT BE ACCEPTED. ONCE A COMPLETE SUBMISSION IS RECEIVED, YOU ARE DEEMED TO HAVE UNDERSTOOD AND AGREED TO THE TERMS AND CONDITIONS OF THIS BID.

SHOULD YOU HAVE QUESTIONS BEFORE THE SUBMISSION, FEEL FREE TO CONTACT ITA SEOUL OFFICE AT THE EMAIL INDICATED BELOW.

1. PRELIMINARY INFORMATION

Following Determination n. 3222/23 dated 11/09/2023, the Director of the Italian Trade Agency, Seoul Office ("ITA Seoul" hereafter) has established to launch an open bid procedure for the procurement of marketing and communication services for High Street Italia to be awarded at the best price criteria following art. 11 of Ministerial Decree no. 192/2017.

Chief Procurement Officer (CPO) is Ferdinando Gueli, Trade Commissioner of The Italian Trade Agency in Seoul Office.

Introduction - High Street Italia

High Street Italia is a special project started in December 2019 and uniquely dedicated by ITA to Korean market.

High Street Italia is a five-stories building located in Garosu-gil, Gangnam, a prominent area for shopping in Seoul. Its mission is to create a unique platform for promoting Italy and Made in Italy products among Korean people.

High Street Italia is a multifunctional venue, hosting a showroom at 1st and 2nd floors, open to the public, with temporary pop-up stores made available for Italian brands to showcase and sell their products. In addition, High Street Italia hosts multifunctional spaces in the 3rd,

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4th and 5th floors used by ITA itself as well as by other Italian institutions in Korea (Embassy, Italian Culture Institute, ENIT, Italy-Korea Chamber of Commerce, etc.) and Italian companies for holding events, exhibitions, seminars, workshops of any kind.

More information on High Street Italia are available visiting its website: <https://highstreetitalia.com/> or Instagram page https://www.instagram.com/highstreet_italia/

For more information:

ITA Seoul Office

Tel.: +82 2 779-0811

Email: seoul@ice.it

On site visit: to fix an appointment for a on-site check please contact Mrs. Kyungmin Choi e-mail: k.choi@ice.it. Onsite check shall be scheduled **no later than 5 days before the offer submission deadline.**

2. BID DOCUMENTS

- Present bid announcement containing all bid regulations;
- Technical Description of the services (Annex 1 attached);
- DUR (Annex 2 attached);
- Economic Offer Form (Annex 3 attached);

3. BASE PRICE FOR BID OFFERS

ITA is a tax-exempt organization. Due to governing Italian laws, ITA must follow strict procurement regulations applied to this Bid and for the awarding of the contract.

With reference to the present Bid, the estimated **base price** is **Won 85.000.000 (Euro 59.502,00** at the latest exchange rate published by the Bank of Italy on September 11th 2023) for a contract duration **from October 1st, 2023 to September 30th 2024.**

The contract period will also depend upon the completion of all the bid procedures.

4. DESCRIPTION OF SERVICES

Please read very carefully the Technical Description of the requested service here attached (see Annex 1). **Technical Description will be an integral part of the stipulating contract.**

5. PARTICIPATION REQUIREMENTS

Economic operators are admitted under art. 9 of MD 192/2017.

Subcontracting is admitted under restrictions as set by art. 14 of MD 192/2017.

- a. **General requirements** as set by art. 9, sections 1 and 3 of MD 192/2017, whose possession shall be declared in the specific section of the DUR (see Annex 2)
- b. **Professional requirements:** qualified references proving at least 5 years' experience in marketing and communication services with special focus on showroom promotion.

6. SUBMISSION DEADLINE

**The deadline for submission of bid documents, under penalty of exclusion, is:
Friday, September 25th 2023, 5:00 PM Seoul time**

The address where the offers must be mailed is:

ITALIAN TRADE COMMISSION

**Address: 15Fl., Cheonggye Hankook Building 11, Cheonggyecheon-ro, Jongro-gu
Seoul, 03187**

주소: 서울시 종로구 청계천로 11, 청계한국빌딩 15 층 이탈리아무역공사, 우편번호 03187

No offers shall be accepted after the deadline.

Incomplete offers, even if mailed within the stated deadline, shall be excluded.

An offer is deemed to be incomplete also when a bidder does not accept all the terms of this Bid.

Receipt of these bid documents does not imply satisfaction of the bidding requirements.

Please make sure to follow all instructions carefully to avoid disqualification.

7. REQUIREMENTS FOR THE SUBMISSION OF BID PROPOSALS

According to Italian law and under penalty of exclusion, all documents requested for the bid proposal shall be submitted by bidding firms in **one single closed and sealed envelope** indicating on the outer surface "**CONFIDENTIAL - Do Not Open. Bid Documents:**



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“MARKETING AND COMMUNICATION SERVICES FOR HIGH STREET ITALIA ORGANIZED BY THE ITALIAN TRADE AGENCY, SEOUL OFFICE – CIG A00D7C5FD2”.

The envelope shall clearly indicate the complete name of the sender and the complete address (telephone and email) where all subsequent notices shall be sent.

The timely delivery of the bid envelope is under the sole responsibility of the bidding firm, releasing ITA Seoul from any liability on the matter.

Furthermore, **the Main envelope shall contain Two internal envelopes, both of them closed and sealed**, indicating on the outer surface the following:

ENVELOPE “A”: [indicate NAME of the COMPANY] "Administrative Documents."

In this Envelope the bidder must submit the following documents signed by its director or managing member:

1. **This bid announcement signed on each page for acceptance**
2. **Annex 1 duly signed for acceptance**
3. **DUR declaration signed by legal representative (Annex 2 attached)**
4. **A copy of the signer's valid ID**
5. **Copy of business registration proving at least 5 years' activity in relevant industry sector**
6. **Company profile (max 2 pages in English language) with details proving 5 years' experience in the marketing and communication services**

Incorrect, incomplete or irregular contents in envelope “A” may be remedied, with some exceptions, pursuant to Art. 83, Par. 9 of Legislative Decree No. 57/2017.

ENVELOPE “B” [indicate NAME of the COMPANY] “Economic Offer”.

The Economic Offer (see **Annex 3 attached**) shall be made in accordance with the above terms. It shall be expressed clearly in numbers and letters and signed by the director or managing member of the bidder.

IMPORTANT: Multiple offers will not be considered, including multiple prices offered for each service category, and they will determine exclusion from the Bid.

Please submit the Economic Offer by filling the Annex 3 only (see attached)

Please indicate **Price Information ONLY in your ECONOMIC OFFER**
DO NOT INSERT ADMINISTRATIVE DOCUMENTS
WHICH WILL INVALIDATE YOUR PROPOSAL.

The Economic Offer – Annex 3, **under penalty of exclusion**, shall be dated and signed by a legal representative of the bidding firm.

The offer shall be valid for at least **180 days** from the offer submission date.

Economic offers will be excluded if and when:

- are submitted after the submission deadline and/or in a format different from the Annex 3 and from the filling instructions provided above and in the form;
- are linked to specific conditions or are not accepting the bid regulations and contract terms as described in the current bid announcement;
- are missing any information requested by the present announcement;
- offer amount above the base price or multiple offers.

The award will take place even in the presence of a single bid offer, as long as it is deemed valid.

8. REMEDY PROCEDURE

The shortcomings of any formal element of the application and Administrative Documents as requested for the “Envelope A”, and in particular, the lack, incompleteness and any other essential irregularity of the elements and of the DGUE, with the exclusion of those relating to the economic offer, can be remedied by preliminary investigation procedure pursuant to art. 101 of the Code.

The essential irregularity can be remedied if it does not go hand in hand with a substantial deficiency of the requirement to which the omitted or irregularly produced documentation was finalized. The subsequent correction or document integration is allowed where it allows to attest the existence of pre-existing circumstances, i.e. requirements for participation and documents / elements accompanying the offer.

For the purposes of the remedy procedure, the contracting authority assigns to the bidder a reasonable period - not exceeding ten days - for the necessary declarations to be made, integrated or regularized, indicating the content and the subjects who must make them.

If the bidder produces declarations or documents that are not perfectly consistent with the request, the contracting authority can request further clarifications or clarifications, setting a peremptory term under penalty of exclusion.

In case of unnecessary elapsing of the deadline, the contracting authority proceeds to exclude the bidder from the procedure.

Outside the cases referred to in Article 83, paragraph 9, of the Code, the contracting authority has the right to invite bidders, if necessary, to provide clarifications regarding the content of the certificates, documents and declarations presented.

9. BID PROCEDURE

Please be advised that the bid documents will be examined in a **Public Session on Monday, September 26th at 9:00AM (EST)** at which time we will determine the acceptability of the bidding packages received as well as of the administrative documents enclosed in the Envelope A.

The legal representatives/attorneys of the bidding companies concerned or persons with specific delegation will be admitted to attending. In the absence of these qualifications, participation is admitted as a simple listener.
If everything will be in order ITA's authorized officer will proceed to open, in Public Session, the Economic Offer enclosed in the Envelope B.

10. BID AWARDING CRITERIA

Each bid offer will be evaluated based on the lowest price to be expressed in value and also in terms of % discount from the bid base price.

The calculation formula will be as follows:

$$Pa = (VminOff / Voffa)$$

Legend:

- **Pa: total score attributed to the bidder "a"**
- **VminOff: lowest price offered**
- **VOffa: price offered by the bidder "a"**

In case of equal economic offers among two or more bidders, during the public session the ITA's officer in charge of the bid procedure will be requesting to the representatives of bidding companies attending the session whether they would like to submit a down offer. In that case the bid will be awarded to the company that will offer the lowest.

If none of the bidding companies will be represented during the public session, ITA will follow the procedure according to art. 77 of R.D. 827/1924, including, if necessary, a formal draw procedure in a new public session, in order to select the awarded bidding company among those with equal best offer.

The award will take place even in the presence of a single bid offer, as long as it is deemed valid.

When the conditions set out in art. 97, paragraph 3, of the Code, and in any other case in which, based on specific elements, the offer appears abnormally low, the CPO, if deemed necessary, assesses the adequacy, seriousness, sustainability and feasibility offers that appear abnormally low.

The CPO requests the competitor in writing to submit explanations in writing, if necessary indicating the specific components of the offer deemed anomalous. To this end, assign a term of not less than fifteen days from receipt of the request.

The winning bidder shall have the task of providing the Services described in this Bid announcement.

11. PERFORMANCE BOND

As requested by art. 15 of Ministerial Decree (D.M.) no.192/2017, the bid awarded firm shall submit, before signing the contract, a **performance surety bond** issued by a banking or insurance institution or a non-transferable cashier's check that amounts to **10% of the estimated amount of the bid** before signing the agreement. The expenses to obtain the performance surety bond shall be borne exclusively by the bidder.

12. BANK ACCOUNT, PAYMENT TRACKING REGULATIONS AND PAYMENT TERMS

The awarded bidding company shall provide its corporate bank account credentials for payment. Bank account shall be clearly identified as belonging to the same company and it should comply with all financial tracking regulations according to Korean laws. CIG code issued by ANAC shall be always used to identify the single procurement contract.

The payment for the services will be settled monthly. Each payment will be issued within 30 days upon receipt of an original invoice issued only after formal confirmation of "regular execution" of the services by ITA.

13. OTHER LAW OBLIGATIONS

Main terms and regulations of procurement procedure of ITA Seoul Office are regulated by the Ministerial Decree (D.M.) no.192/2017. Additionally, the bid awarded Company shall comply with every applicable state and/or local laws of the Republic of Korea.

Rules of conduct for contractors and its staff and/or subcontractors

In the execution of the contract, the contractor undertakes to fully respect the Code of Conduct adopted by ITA (Italian Trade Commission) with respect to the provisions of Presidential Decree 62/2013 furtherly modified by Legislative Decree n. 36/2022 approved by the Board of Directors by resolution no. 619 on 27 January 2023.

The Code of Conduct and Disciplinary procedures of the ITA is available on the website www.ice.gov.it – at the section "Amministrazione Trasparente"- "Disposizioni generali"- Atti generali".

For any breach of obligations under the Code, if same is considered serious, ITA will have the option to terminate the contract.

By signing you agree to the terms outlined in this document and, to the best of your knowledge, affirm that you have not retained or engaged professionally anyone who has ceased his or her employment with the Italian Trade Agency within the last three years and whom had occupied a management role in said organization or had been delegated management powers to execute contracts or other commercial transactions on behalf of the said organization.

14. DISPUTE RESOLUTIONS

This Contract, and all matters relating to it, shall be governed by the laws of the private international law of Republic of Korea. In the event of any dispute arising out of or in connection with this Contract, the Parties shall first refer the dispute to the Singapore International Arbitration Centre, and in accordance with the Arbitration Rules of the Singapore International Arbitration Centre ("SIAC Rules") for the time being in force, which rules are deemed to be incorporated by reference in this clause. The Tribunal shall consist of three (3) arbitrators. The language of arbitration shall be English. The Arbitration provision, as set out in this article, shall come into force at the date of signature of this Contract.

15. PRIVACY PROTECTION AND REGULATIONS

As stated by the EU Regulations no. 2016/679 ("RGPD"), in relation to the proceedings started for purpose of this bid, please be informed that:

- The Purpose for which the data is being collected and the modalities for their processing are limited expressly to the bid procedures being conducted by the principal (ITA)
- The submission of such data is deemed as due by the bidder, to the extent that, if the bidder intends to participate in the public tender, it is necessary to submit the required documentation pursuant to the laws currently in force; the consequence of a refusal will determine exclusion of the relevant bidder from the tender or forfeiture to obtain a possible award;
- The following are the individuals entitled to receive the submitted data: 1) personnel of the principal and all subjects involved in the tender proceeding, 2) those participating in the Bid if such tender takes place in public session, 3) any other subject having interest or submitting a formal request pursuant to Law 241/1990;
- The rights of the interested subject are indicated in EU Regulations no. 2016/679 ("RGPD"), full text available on ITA's official website at this link: <https://www.ice.it/it/privacy>.
- The subject collecting the data is ITA.

The access to bid documents is admitted according to Italian Law no. 241 of August 7, 1990.

Awarded bid company agrees that its corporate data and information will be stored and published on ITA website among which, Company name; address; amount of consideration.

16. WHISTLEBLOWING

The Italian Trade Agency, in compliance with applicable legislation, is committed in taking all reasonable steps to protect whistleblowers who report or disclose information on breaches of the law observed in the context of their work-related activities.



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The reports, which are kept fully confidential, are managed through an IT application available on the Home Page of the Italian Trade Agency – ICE website - Whistleblowing section at <https://www.ice.it/it/en/whistleblowing>.

Notwithstanding the above, please note that ITA, as a foreign governmental entity with full diplomatic and immunity status, maintains power to irrevocably withdraw the present invitation to bid and/or therefore annul the awarding procedure for any reason and at any point in time without incurring in any liability under any circumstances.

In submitting an offer to the current bid, you understand and expressly agree to waive any claim, legal action, and/or remedy based in law or equity that you may have at the time ITA decides or is forced to withdraw and therefore annul the awarding procedure.

Ferdinando Gueli
Italian Trade Commissioner in Seoul

Legal representative of bidding company:

(to be signed and stamped for acceptance)

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