



New York, 07/17/2024

MARKET SURVEY NOTICE

(Call to express interest in participating in a tender)

Selection of economic operators to be invited to a future tender, to engage a Company who will provide the services of the Foreign Direct Investment Desk in San Francisco, CA

CIG – B280AD2040

All documents listed below that must be submitted to participate in this Market Survey must be transmitted through the e-procurement platform **Traspare** at the following internet address: **ice.traspare.com**. To register on the Traspare platform interested companies must have to follow the instructions enclosed in the attached “Operational notes portal registration Traspare”. **All communication must use the Traspare platform.**

The Italian Trade Agency (ITA) New York intends to initiate an open procedure for the acquisition of the service in question, proceeding with the preliminary identification of companies active in the FDI field hereinafter referred to as “Company” – **Licensed in the State of California** – interested to take part in the selection.

Pursuant to art. 7, paragraph 3 of Ministerial Decree 192/2017 as modified by Ministerial Decree no. 32/2024 of 17 January 2024 it is announced that the Italian Trade Agency (ITA) New York intends to initiate an open procedure for the acquisition of the service in question, proceeding with the preliminary identification of Companies active in Foreign Direct Investment, territorial competitiveness, Investment banking and/or Strategic consultancy, hereinafter referred to as “Company” – **Licensed to operate in the State of California** - interested in participating in the procedure that are in possession of the general requirements and professional competence, as per Legislative Decree 36/2023.

CONTENT OF THE SERVICES REQUESTED FOR THE “FOREIGN DIRECT INVESTMENT DESK IN SAN FRANCISCO, CA” AND DURATION OF THE SERVICES/ LIFE OF THE CONTRACT

Management of the Foreign Direct Investment (FDI) Desk in San Francisco, CA for ten (10) months total project duration.

The Company must provide day-to-day management of the FDI Desk via a designated expert (manager). The Company’s major function will be to promote US direct investment towards Italy, as well as to strengthen awareness of Italian business and regulatory environment in the US. The total project duration will be ten (10) months.

The Company shall provide personnel with a proven background in Foreign Direct Investment, Territorial competitiveness, investment banking and/or strategic consultancy. Experience in one or more of the following sectors will be a plus: Chemical Industry, Circular Economy, Fashion, Design & Furniture, Food Industry & Agrifood Tech, Greentech, ICT, Aerospace, Logistics &

infrastructure, Machinery & Mechatronics, Microelectronics & Semiconductors, Real Estate, Life Sciences, Automotive.

Preference will be given to companies with proven experience gained both in the USA and in Italy. The ideal Company must have a proven understanding of global FDI, as well as of the US economic and industrial framework.

The Company will be the sole counterpart for the ITA.

The Company agrees that ITA reserves the autonomous and non-objectionable right to reject any designated expert provided by the company that ITA may consider not satisfactory under its sole judgement.

REQUIREMENTS OF THE COMPANY

- (1) A demonstrated track record in the Foreign Direct Investment Attraction, territorial competitiveness, Finance, Investment Banking, and strategic consultancy sectors. The track record will be a key component of the bidding selection.
- (2) Experience in California is a must.
- (3) Possession of the necessary qualifications and or license (if any), in compliance with local laws of the State of California.
- (4) Authorization to conduct business in the State of California.
- (5) Good standing with state and local authorities to conduct business in the State of California.
- (6) Business and WC insurance coverage.

BUDGET

Compensation for the San Francisco FDI Desk is set at **\$160,000.00 for ten (10) months**. The Company shall be solely responsible for all taxes under US laws, at federal, state and local levels.

The Project will last for a maximum of ten (10) months and can only be renewed by the ITA in writing and subject to funding availability.

A Bonus Fee up to a maximum of **\$55,000.00** may be awarded at sole discretion of the Italian Trade Agency New York Office and depending on specific key performance goals set in the agreement.

This budget is inclusive of all expenses, costs, agency fees, travel costs, and any other professional fees.

PRESENTATION OF APPLICATIONS FOR PARTICIPATION

This notice will remain published on the website of this office (contracting authority) for a period of 15 days starting from the day following the date of publication.

Requests for participation by economic operators interested in the selection procedure in question must be signed by the legal representative of the company, or his delegate, and sent via the e-procurement platform Traspere at the following internet address: **ice.traspere.com** no later than **18:00 Italian time PM, 09:00 PDT on August 2nd, 2024**, clearly indicating in the e-mail subject the following statement: **"Foreign Direct Investment Desk in San Francisco, CA"**.

To register on the platform Traspare interested companies must follow the instructions in the attached “Operational notes portal registration Traspare”. For any further information please contact us at newyork@ice.it.

The submission must include the following attachments:

- **Enclosed application form “A”;**
 - **Enclosed doc. ‘Req. for Procurement (DGUE)’**
 - **IRS Form W-9 provided by the company;**
 - **Enclosed declaration Form “B” duly completed, dated and signed by the legal representative or its delegate with power of representation accompanied by a valid photocopy of the ID, in compliance with:**
- **General requirements;**
 - **Requirements for professional competence in the reference sector for the service.**
 - **Technical and professional skills.**

Applications for participation received after the above deadline will not be considered by the e-procurement platform Traspare.

The request for participation does not lead to the Administration having any specific obligation regarding the continuation of the negotiation.

Please **do not** send any economic offer with this market survey.

REQUIREMENTS FOR PARTICIPATION IN THE TENDERING PROCEDURE

In implementation of the principles of transparency, publicity, impartiality the ITA will proceed to invite to the tender procedure the economic operators that have properly applied for participation.

Companies which will be invited to participate in the negotiated procedure to be carried out, will be required to meet the requirements of the enclosed declaration (**form B**).

The procedure for the realization of the service in question will be awarded with the criterion of the economically most advantageous offer pursuant to art. 7 c. 2 let b of Ministerial Decree no. 192 of November 2, 2017, as modified by the Ministerial Decree no. 32/2024 of January 17, 2024.

The detailed procedures for evaluating offers will be indicated in the letter of invitation to the Request for Proposal (RFP) which will be sent to those Companies who have shown interest in participating by responding to this Market Survey Notice.

The applications for participation will be examined by the person in charge of the proceedings in public session **on the day and on the date indicated in the announcement** at the premises of the ITA in New York. Only one legal representative, or his delegate, can participate in the public session for each economic operator.

The letter of invitation and the documents necessary for the participation in the tender in question will be sent - to the selected operators - to the email address indicated in the application form A via e-procurement platform traspare.

PRIVACY

PROCESSING OF PERSONAL DATA

PRIVACY NOTICE REGARDING THE PROCESSING OF PERSONAL DATA PURSUANT TO ARTICLES 13 AND 14 OF REGULATION (EU) 2016/679 (GDPR)

Introduction and General Definitions

The subject of protection offered by privacy legislation is the "processing of personal data." Before delving into this information, it is necessary to define the processing of personal data according to EU Regulation 2016/679, which, in Article 4(2), defines it as the activity of "collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination, or otherwise making available, alignment or combination, restriction, erasure or destruction" of data that refers to identified or identifiable natural persons. EU Regulation 2016/679 defines the natural person to whom the data processed refer as the "data subject," reserving a series of rights and prerogatives in their favor. Foremost among these rights is undoubtedly that of being informed, in a clear and transparent manner, about the purposes and methods with which the personal data that he or she will provide, in various capacities, directly to this Public Administration, will be managed ("processed"). This informative notice aims to illustrate the purposes for which the Italian Trade Agency may use your data, how it will be managed, to whom it may be communicated, where it may be transferred, and what your rights are.

Data Controller and Data Protection Officer

The Data Controller is the Italian Trade Agency, with headquarters at via Liszt, 21 – 00144 Rome, Italy, phone number +39 06 59921 (hereinafter referred to as ITA). The Data Protection Officer can be contacted at the following e-mail address: privacy@ice.it.

Purpose of Data Processing

The processing of your personal data, using computerized or analogous tools, is carried out Tenders 2 Vers. 10-11-2023 by ITA for the institutional purposes connected to this call for tender, for the related legal compliance, and for purposes related to the selection of the contractor and contractual activity. Specifically, your personal data will be processed to: • verify the existence of the necessary requirements for participation in the tender and for the award; • manage the tender procedure and for purposes related to the selection of the contractor; • for the conclusion, execution, and management of the procurement contract or professional service, as well as for the related compliance and legal obligations; • to fulfill all legal obligations arising from the legislation on procurement and public contracting. In particular, it is specified that judicial data will be processed exclusively for the purposes of verifying the absence of exclusion causes pursuant to art. 94 - 98 of Legislative Decree no. 36/2023, in accordance with the provisions of the procurement code (Legislative Decree no. 36/2023) and Presidential Decree no. 445/2000. The provision of your personal data is considered mandatory as it is necessary for the purposes of participating in the public evidence procedure and, possibly, for the purposes of the conclusion, management, and execution of the contract and is based on the following legal grounds: • the necessity of processing for the purpose of concluding and executing the contract, or for the

execution of pre-contractual measures adopted upon the request of the data subject (art. 6 par. 1 letter b of the GDPR); • the necessity of processing to fulfill legal obligations to which the data controller is subject (art. 6 par. 1 letter c of the GDPR); for example, compliance with legal, regulatory, or contractual obligations, execution of orders from judicial or administrative authorities; • the necessity of processing for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller; in particular for the management of the public evidence procedure aimed at the selection of the contractor (6 par. 1 letter e GDPR). Your possible refusal to provide the requested data may result in the impossibility of allowing you to participate in the tender, your exclusion from it, the forfeiture of the award, or the impossibility of concluding the contract by ITA.

Upholding Individual Rights

ITA aims to protect the personal data of whistleblowers, binding their processing to the principles of fairness, legality, and transparency provided by the Regulation. Only personal data that is adequate, relevant, and limited to what is necessary in relation to the purposes for which they are collected and processed are treated. The data is processed by properly trained personnel who act as authorized data processing staff according to principles of fairness, legality, transparency, relevance, and not exceeding the purposes of the collection and subsequent processing. The processing takes place in a manner that ensures adequate security of personal data, through the use of automated tools, as well as confidentiality and protection, through technical and organizational measures aimed at preventing data loss, unlawful or incorrect use, and unauthorized access. Personal data may also be managed through online software or cloud services, located within the European Union, in compliance with the rights and guarantees provided by the General Data Protection Regulation (EU) 2016/679 (GDPR).

Data Retention Period

Personal data will be retained for a period commensurate with the purposes of processing outlined above and in compliance with all legal obligations.

Data Sharing with Other Entities

In the course of its public administration activities, data may be communicated to entities that perform control activities, public bodies or administrations if they are legally entitled to receive such information, Italian and foreign judicial authorities and other public authorities, for purposes related to the fulfillment of legal obligations, or for the performance of the obligations arising from your participation in this public selection process. Specifically, you are informed that personal data may be communicated to: • natural or legal persons appointed as Data Processors pursuant to Article 28 of the GDPR; • authorities for the supervision of public contracts for works, services, and supplies; • authorities responsible for inspection and fiscal and administrative verification; • judicial authority or police forces, in cases provided for by law; • any other public or private subject in cases specifically provided for by EU law or national law. In any case, pursuant to Article 53 of Legislative Decree no. 50/2016, your data may be communicated to third parties if the legal conditions provided for by Law no. 241/90 and Legislative Decree no. 33/2013 regarding the right of access and administrative transparency are met. The complete and updated list of any Data Processors is always available upon request at the email address: privacy@ice.it.

Rights of the Data Subject

The data subject may exercise their rights at any time, and in particular, may access their personal data, request its correction or restriction, update it if incomplete or incorrect, and request its deletion if collected in violation of the law, as well as oppose its processing unless there are legitimate reasons on the part of the Data Controller. They also have the right to data portability, that is to receive personal data in a structured, commonly used, and machine-readable format. For this purpose, it is possible to contact the Data Controller, or the Data Protection Officer. It is also informed that there is the possibility to lodge a complaint with the Italian Supervisory Authority – Guarantor for the protection of personal data - Piazza Venezia n. 11 - 00187 Rome, Italy. For more information, you can send a request to the e-mail address: privacy@ice.it.

This information notice may be supplemented in consideration of any regulatory changes or in relation to the measures of the European Commission and the European Data Protection Supervisor EDPS.

INTERPRETATION AND RIGHT TO WITHDRAWAL

ITA is an instrumentality of the Government of the Republic of Italy. The interpretation of all the foregoing terms and conditions shall be made by ITA in its sole discretion. Such an interpretation shall be final and binding upon all bidders.

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.

This notice constitutes exclusively a call for expressions of interest to be invited to the tenders that will be carried out and therefore does not imply any obligation for the ITA towards the interested parties.

All requests for information must be placed on the Traspare Platform.

The Office of reference for the selection procedure is the ITA-New York Office (email: newyork@ice.it).

Erica Di Giovancarlo

Trade Commissioner

Executive Director for the USA

(signed in original)
