

MARKET SURVEY NOTICE (published on November 30, 2020)

Selection of economic operators to be invited to tender for amounts below the European community threshold (Euro 214,000.00), to be carried out pursuant to:

- art. 36, paragraph 2, letter b) of Legislative Decree 50/2016, and subsequent amendments and additions;
- articles 7 of Ministerial Decree no. 192 of 21 November 2017;

for the “2021 and 2022 SERVICE OF TEMPORARY EMPLOYMENT AGENCY – EMPLOYEE PAYROLLING SERVICES”.

Pursuant to art. 36, paragraph 2, letter b) of Legislative Decree 50/2016 and subsequent amendments and additions, art. 7 and art. 10 of Ministerial Decree no. 192 of 21 November 2017 in conjunction with Guidelines no. 4, issued by the ANAC in implementation of Legislative Decree 18 April 2016, no. 50, containing "Procedures for the awarding of public contracts for amounts below the thresholds of Community relevance, market surveys and training and management of lists of economic operators" (Resolution No. 1097 of 26 October 2016), and as regards Legislative Decree 19 April 2017, no. 56, it is announced that the ITA New York intends to initiate a negotiated procedure for the acquisition of the service in question, proceeding with the preliminary identification of economic operators – Located in the United State - interested in participating in the procedure that are in possession of the general requirements and professional competence, as per articles 80 and 83 of Legislative Decree 50/2016.

CONTENT OF THE REQUESTED SERVICES:

The Italian Trade Agency (ITA) New York Office invites Temporary Employment Agency to submit their expression of interest in participating to a bid for the “**2021 and 2022 SERVICE OF TEMPORARY EMPLOYMENT AGENCY – EMPLOYEE PAYROLLING SERVICES**”.

DURATION OF SERVICES

The services will be regulated by a framework contract whose duration will be two years. The framework contract is to be started from January 2021 once the participation requirements have been verified and bidding procedures finalized.

The framework contract terms may be temporarily extended, for the time necessary to ITA in order to conduct and finalize a new bid procedure in order to select a new supplier.

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 issuing date.

BUDGET

There is a tentative maximum budget of 190,000.00 USD possibly allocated for this 2021 and 2022 services, which has to include pay rates for the temporary staff (all inclusive) and the mark-up fee for the agency.

The effective budget will be determined on single projects base during the years 2021 and 2022. For each project and position ITA will request to the awarded contractor specific services, through purchasing orders which will comply with rates and conditions stated in the framework contract. ITA reserves the right to increase or decrease the contractual amount by a maximum of 20% as needed, without any further obligation toward the awarded Contractor.

Requests for participation by economic operators interested in the bid procedure must be signed by the legal representative of the company, or his delegate, and **sent to the e-mail address newyork@ice.it no later than 4:00PM on December 14, 2020** clearly **indicating in the subject** of email the following statement:

“2021 and 2022 SERVICE OF TEMPORARY EMPLOYMENT AGENCY – EMPLOYEE PAYROLLING SERVICES”.

And must include the following attachments:

- Enclosed application form “A”;
- 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** (pursuant to Article 80 of Legislative Decree 50/2016);
 - **Requirements for professional competence in the sector of reference for the service requested** (pursuant to Article 83, paragraph 1, letter a) of Legislative Decree No. 50/2016);
 - **Technical and professional skills** (pursuant to Article 83, paragraph 1, letter c) of Legislative Decree 50/2016).

Applications for bid participation received after the above deadline will not be considered.

The application does not lead Italian Trade Agency having any specific obligation regarding the continuation of the procedure.

The bid procedure as well as the signing of the framework contract remain subject to the approval of the specific budget for the year 2021 and 2022 by the Italian Trade Agency’s competent Departments in Rome’s HQs.

REQUIREMENTS FOR PARTICIPATION IN THE BID PROCEDURE

In implementation of the principles of transparency, publicity, impartiality pursuant to art. 4 of Legislative Decree 50/2016, amended by Legislative Decree 56/2017, the ITA will proceed to invite to the bid procedure a number not less than five operators, if applicable, that have properly applied for participation. If the minimum number of candidates that meet the selection criteria is not reached, ITA will proceed, pursuant to art. 91, c. 2 of Legislative Decree 50/2016 and subsequent amendments and additions, also in the presence of a number of candidates lower than the above-mentioned minimum.

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

The bid negotiated procedure for the mentioned services will be awarded with the criteria of the lowest mark-up % / hourly price pursuant to art. 11 of the Ministerial Decree no. 192 of the 21 November 2017.

The detailed procedures for evaluating offers will be indicated in the Letter of Invitation to the Bid.

The bid offers will be examined by the person in charge of the proceedings in public session **on the day and on the date indicated in the bid invitation letter** 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.

DISCLOSURE UNDER THE ARTICLES 13 ET SEQ. OF THE EU REGULATION 679/2016

In compliance with the provisions of art. 13 and under the EU Regulation 679/2016 on the protection of personal data of physical persons, as referred in art. 4 of the aforementioned Regulation, we inform you that your personal data is collected, processed, used and disseminated solely for the institutional purposes of ICE-Agency, as required by art. 14, paragraph 20, D.L.98 / 11 converted into L.111 / 11 as replaced by art. 22 c. 6 D.L. 201/11 converted into L. 214/11 and for this purpose will be included in the Central Data Bank of ICE.

Your personal data, merged into the Central Data Bank of ICE, can be used to send proposals of participation in initiatives organized by ICE, such as fairs, workshops, seminars, training courses, etc., and used to carry out customer satisfaction and other surveys concerning the activity of ICE.

This process will take place by means of paper and / or computerized methods. The data will be communicated and disseminated to other public entities to fulfill specific legal obligations.

We also remind you that you may exercise, at any point of time, the rights referred to in articles 17 and the ones EU Regulation 679/2016. For any information it is possible to contact the handling in charge of ICE-Agency, [Via Liszt 21 00144 Rome](#) or the data control in charge at the office.

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

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

The only subject in charge of the proceeding [Chief Procurement Officer (CPO) / Responsabile Unico del Procedimento (RUP)] is **Mr. Antonino Laspina – The Italian Trade Agency - New York, Italian Trade Commissioner.**

Signed by
Dr. Antonino Laspina
Italian Trade Commissioner
Executive Director for the USA

To the Italian Trade Agency (ITA)
New York Office
33 East 67th Street
New York, NY 10065
Email: newyork@ice.it

Application form for expression of interest/selection of economic operators to be invited to tender (IFB) for amounts below the European community threshold (Euro 214,000.00), to be carried out pursuant to:

- art. 36, paragraph 2, letter a) of Legislative Decree 50/2016, and subsequent amendments and additions;
- articles 7, paragraph 2, letter a) and art. 10 of Ministerial Decree no. 192 of 21 November 2017;

for one of the following each service: "2021 and 2022 SERVICE OF TEMPORARY EMPLOYMENT AGENCY – EMPLOYEE PAYROLLING SERVICES"

The undersigned _____,
(title) _____ and legal representative of
(company) _____ with registered office
in (full address) _____,
Federal tax ID no. _____, as the person proposing this expression of
interest, aware of the criminal liability that may be faced in the event of false statements,
and

HAVING NOTED

all the conditions and terms of participation established in the Market Survey Notice published on the website of the Italian Trade Agency office in New York on November 30, 2020,

I EXPRESS

the interest in participating in the tender indicated above and

I DECLARE

- that the above-mentioned applicant meets the requirements for participation in the above tender;
- to accept that any communication relating to the procedure in question is sent to the following company e-mail address: _____;
- to be informed, pursuant to and for the purposes under the Article 13 of the EU Regulation 679/2016, that the data collected in this form and in the attached documentation will be processed, including electronically, exclusively in the context of the procedure for which this statement is made.

Signature of declarant _____

Place and Date: _____

**ITALIAN TRADE AGENCY (ITA)- NEW YORK
CERTIFICATE OF GOOD STANDING**

I/We/The Company declare/declares under penalty of perjury under the Law of the United States and the Italian Law (Legislative Decree 50/2016 and its subsequent amendments and Ministerial Decree no. 192 of 21 November 2017;) that:

- I/We/The Company have/has never been condemned in any court of law and I am not aware of any criminal federal or state investigation conducted against me;
- I/We/The Company possess/possesses the license and/or permit and/or authorization in good standing and my license/permit/authorization has not been suspended (if applicable);
- I/We/The Company possess/possesses the skills and experience to provide the service/good to ITA;
- I/We/The Company possess/possesses have/has obtained proper insurance coverage and named ITA as an additional insured (if applicable);
- The **N.A.I.C.S. (North American Industry Classification System) Number** of the company is: _____
For more information: <https://www.census.gov/eos/www/naics/index.html>
- I/We/The Company have/has not had a complaint filed against me by any enforcement agency and have not engaged in any conduct that would give rise to sanctions and/or conviction under international, federal, state or local laws;
- I/We/The Company am/are/is in compliance with all governmental laws, statutes, and requirements applicable to the services/goods provided hereunder;
- I/We/The Company furthermore declare/declares that all the information provided, and the accompanying documents and reports are true and correct to the best of my knowledge and belief;
- I/We/The **Company agree/agrees to comply with the requirements stated in Legislative Decree 50/2016 and Ministerial Decree no. 192 of 21 November 2017;**
- By signing this statement, I/We/The Company hereby agree/agrees to authorize a background check and I agree to sign each and every document necessary to enable ITA to conduct a verification and background check. I expressly release ITA from any claim or cause of action arising out of the ITA's verification of such information.

Date _____ Company name _____

Print name and position _____

e-mail _____ tel _____

Authorized Signature _____