

New York, 10/13/2022

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COAN: U209C089B1/ U219C083K1/ U229C048C1

CdC: 3CB1

## **INVITATION FOR BID (IFB)**

# CONTRACT FOR THE "SERVICES OF A HEAD-HUNTING AGENCY IN ORER TO SEARCH AND SELECT TWO (2) FOREIGN DIRECT INVESTMENT SPECIALISTS"

## FOR THE ITALIAN TRADE AGENCY (ITA) - NEW YORK OFFICE

### 1. BACKGROUND

ITA - Italian Trade Agency is the Governmental agency that supports the business development of Italian companies abroad and promotes the attraction of foreign investment in Italy. ITA is headquartered in Rome and operates with a network of offices worldwide linked to Italian Embassies and Consulates and works closely with local authorities and businesses. In the US, ITA is present in the following cities: New York, Chicago, Los Angeles, Houston, and Miami. For more information on the Italian Trade Agency and its presence in Italy and the world, please visit our website <a href="https://www.ice.it/en/(Italian/English)">https://www.ice.it/en/(Italian/English)</a>.

This invitation for bid is published on ITA New York website also to increase the number of potential service providers in Vendor Registration Portal. For more information, please consult <a href="https://www.ice.it/en/markets/usa/new-york/vendor-registration-portal">https://www.ice.it/en/markets/usa/new-york/vendor-registration-portal</a>

## 2. AWARDING ENTITY

The Italian Trade Agency ("ITA") –New York Office,

33 East 67<sup>th</sup> Street, New York, NY 10065

Website: <a href="https://www.ice.it/en/markets/usa/new-york">https://www.ice.it/en/markets/usa/new-york</a>

Mr. Antonino Laspina, Trade Commissioner of The Italian Trade Agency New York Office

E-mail: newyork@ice.it Tel (212) 980.1500- Fax (212) 758.1050

The ITA New York Chief Procurement Officer (CPO)/ Responsabile Unico del Procedimento (the acronym is RUP in Italian) is Antonino Laspina, the ITA New York Trade Commissioner.

If you have any questions regarding this tender, please send a message to the following email: newyork@ice.it.



### 3. <u>DESCRIPTION OF SERVICES REQUESTED</u>

**ITA** – **New York Office** (hereinafter "ITA") pursuant to art. 7 co. 2, lett. b) of DM 192/2017, invites **Head Hunting Agencies** (hereinafter "The Agency") - located in the United States - to submit a bid to search for a two (2) Foreign Direct investment (FDI) Specialists:

- 1. One (1) Foreign Direct Investment Specialist for the FDI Desk in San Francisco, California.
- 2. One (1) Foreign Direct Investment Specialist for the FDI Desk in New York, NY.

## Professional requirements of the Head-Hunting Agency:

The Italian Trade Agency NY seeks to engage a head hunting agency with a proven track record for recruitment and selection of personnel in the Finance, Investment Banking or Foreign Direct Investment Attraction sectors. Recruiting and selection experience in California will be considered a plus.

The Head Hunting Agency is expected to submit five potential Foreign Direct Investment (FDI) Lead Generation Specialists candidates to the ITA for the San Francisco Position. Final selection of the San Francisco FDI Specialist will be made by the ITA.

The Head Hunting Agency is expected to submit five potential Foreign Direct Investment (FDI) Lead Generation Specialists candidates to the ITA for the Los Angeles Position. Final selection of the New York FDI Specialist will be made by the ITA.

To participate in this IFB, the Agency shall meet the following requirements (referred to in art. 9 of Ministerial Decree 192/2017):

- a. It shall be eligible and possess the necessary qualifications, in full compliance with local laws (in effect in New York and San Francisco).
- b. It shall be authorized and licensed to do business in the company's State of residence, in the State of New York and in the state of California.
- c. It shall be located in the USA.
- d. It shall meet the "General requirements" pursuant to art. 9 paragraphs 1 and 3 of Ministerial Decree 192/2017 to be rendered through the compilation of Part III, Sections A, B, C and D, of the Requirements for procurement procedures under the European Union threshold, (Annex 3)

If the Agency should fail to keep these requirements for the duration of the contract, ITA reserves the right to unilaterally cancel the contract.

## Job Description

The Italian Trade Agency (ITA) is currently seeking two (2) Foreign Direct Investment Specialists: one (1) Foreign Direct Investment Specialist for the FDI desk operating in San Francisco, CA, and one (1) Foreign Direct Investment Specialist for the FDI Desk operating in New York, NY.



Both FDI Specialist's main function will be to support US direct investment in Italy, as well as to strengthen awareness of Italian business and regulatory environment in the US.

The ideal candidates will have a consolidated background in the corporate hi-tech environment, with a specific focus on tech, fintech, life sciences, ICT and other relevant industries and/or in the investment and finance sector, preferably with a consistent professional experience both in the USA and in Italy. She/He will also have deep understanding of global FDIs, as well as of the US economic and industrial framework.

### Responsibilities For Both the San Francisco and New York FDI Specialists

- Managing the full cycle of investment attraction: from potential lead screening, through initial qualification and connection.
- Enhancing and developing a full range of relations with local entrepreneurs, top corporate officers, highly qualified professionals specialized in FDI strategies, and any other influential people able to generate prospects and leads.
- Working closely with the ITA office in New York under the supervision of the Head of FDI, startup
  and Information Division and the Trade Commissioner, ITA FDI Office in Rome headquarters, also
  with local authorities and businesses in order to identify potential investment opportunities and
  investors in the following investment sectors: greenfield, brownfield/expansion in Italy of
  already existing investments, mergers & acquisitions.
- Supporting the ITA FDI division in providing services to Italian companies related to the investor research and similar activities according to ITA's catalogue of services.
- Periodically report to the ITA Office in New York on the lead generation and prospect outreach activity
- Communicate the mission and vision of the ITA Agency to local investors.
- Cultivating constant updates on Italian policies, procedures and programs addressed to foreign investors.
- Supporting potential investors with qualified information and assisting them, in coordination with ITA FDI Offices in Rome Headquarters
- Monitoring investors' activities in Italy and keeping relations.
- The candidates are expected to use all software designated by the ITA FDI Office in Rome and adhere closely to all current ITA FDI procedures and regulations, as mandated by the FDI Office in Rome and ITC NY.



## Additional Responsibilities for the San Francisco FDI Specialist

- To support all activities, leads and deals with potential investors started by the San Francisco FDI Desk in previous years and ensure the continuation of all aftercare operations.
- Carry out a detailed analisys of potential foreign investors present in the USA, on the basis of guidelines provided by the Italian "Cabina di Regia per l'Internazionalizzazione".
- Promote the offer portfolio prepared by the FDI Office at ITA HQ in Rome and its partners, according to the requirements of interested investors.
- Organize preliminary classification meetings, seminars and networking events with target investors, intended to present the regulatory and institutional framework put in place by the Italian Government to support Foreign Direct investment Attraction in Italy, the new governance on Foreign Direct Investments, specific proposals in sectors of interest, and other issues.
- Provide first level assistance to investors in concert with the local ITA Office, the FDI Office at ITA HQ in Rome and support the investor in every phase of the investment life cycle. To acheive these ends, the FDI Desk will be able to rely on the support of Invitalia for the activities under its responsibility.
- Inform the FDI Office at ITA HQ with weekly video calls and quarterly reports on the FDI Desk's activities, and a final report at the end of the contract.
- To inform the FDI Office at ITA HQ of any news about significant opportunities and/ or events for foreign investors.
- To operate in sinergy with ITA FDI Desk network and Italian Diplomatic Offices.
- Support ITA Offices in Rome HQ, ITA New York and ITA Los Angeles by dispensing consulting services for Italian investments in the USA.
- Support ITA offices in Rome HQ, ITA New York and ITA Los Angeles in organizing promotional events aimed at attracting foreign Direct investments.

### **Requirements For Both Specialists**

- Bachelor's Degree and/or MBA or PhD in Economics and/or Finance.
- Permanent residency and right to work in USA (US passport or Green Card holder);
- At least 10 years of experience in the corporate hi-tech sector and/or finance and investment banking sector and/or executive consultancy industry
- Deep knowledge of the industrial framework of Italy.
- · Outstanding communication skills, meticulous work ethic with attention to detail.
- Proficiency in English

Proficiency in Italian will be a plus.



Candidates lacking these requirements will not be considered. The candidate may be required to travel internationally if necessary.

The FDI Specialists will also comply with all rules, regulations and work practices followed by ITA New York and the FDI cell at ITA Head Office in Rome, Italy. The FDI Specialist will also use all software packages mandated by the FDI office at ITA Head Office in Rome, Italy.

ITA will provide the FDI specialists with access to certain premises, materials, information, and systems to the extent necessary for the performance of the Services. Unless otherwise specified in this document, the FDI specialist shall furnish, at their own expense, the materials, equipment, and other resources necessary to perform the Services as explained hereinafter.

The FDI Specialists shall comply with all third-party access rules and procedures communicated in writing by ITA, including those related to safety, security, and confidentiality. The FDI Specialist will comply with all ITA NDA and confidential information rules and regulations.

All work and all contacts deriving from the FDI Specialist's activities will remain the property of ITA New York. The FDI Specialist will render detailed reports on his activities to ITA NY.

The period of performance is for a base twelve (12) months, eventually activated at sole discretion of the Italian Trade Agency Office in New York. The contract with each FDI Specialist will have a duration of eighteen (18) months.

### San Francisco Foreign Direct Investment Specialist

The San Francisco FDI Specialist must have matured proven experience in foreign direct investments and provide the Service from the city of San Francisco, CA. The San Francisco FDI specialist area of performance shall be the Western US region. She/ He will be also charged with promotion of the Pilot Project of Investment Attraction in the framework of the Italian National Plan for Recovery and Resilience ("Pilot Project"). The San Francisco FDI Specialist, in addition to other duties, will participate in trialling a new work methodology intended to search and scout for new investors. This will also include mapping a number of large potential investors active in the focus sectors outlined by the Italian National Recovery and Resilience Plan (PNRR). The San Francisco FDI Specialist shall coordinate with the New York FDI Division ("NY FDI Division") and the ITA office in New York ("ITA NY") which oversees all FDI activity in the US. The



FDI Specialist will also coordinate with the FDI Office in ITA Headquarters in Rome, Italy. The FDI Specialist will ensure his/her presence in the Italian Innovation Center ("INNOV.IT") located in 710 Sansome Street, San Francisco, California, USA when requested by ITA NY or when required by the events hosted by the ITA at the Innovation Center. The FDI Specialist may be called to undertake national or international travel by ITA NY.

Compensation for the San Francisco FDI Specialist will be \$190.000,00 yearly (twelve months). Due to the fiscal status of Italian Trade Agency in the US, the candidate shall be solely and fully responsible for taxes and all related fiscal requirements requested by US laws, both at federal level and state level. A Bonus Fee up to a maximum of \$67,000 will be awarded at sole discretion of the Italian Trade Agency New York and based upon specific key performance goals set in the agreement.

### **New York Foreign Direct Investment Specialist**

The **New York FDI Specialist** must have matured proven experience in foreign direct investments and provide the Service from the city of New York, NY. The New York FDI specialist area of performance shall be the Eastern US region. The New York FDI Specialist shall coordinate with the New York FDI Division ("**NY FDI Division**") and the ITA office in New York ("**ITA NY**") which oversees all FDI activity in the US. The FDI Specialist will also coordinate with the FDI office in ITA Headquarters in Rome, Italy. The FDI Specialist will ensure his/her presence in ITA New York when requested by ITA NY. The FDI Specialist may be called to undertake national or international travel by ITA NY.

Compensation for the New York FDI Specialist will be \$171.360,00 yearly (twelve months). Due to the fiscal status of Italian Trade Agency in the US, the candidate shall be solely and fully responsible for taxes and all related fiscal requirements requested by US laws, both at federal level and state level. A Bonus Fee up to a maximum of \$60,000 will be awarded at sole discretion of the Italian Trade Agency New York and based upon specific key performance goals set in the agreement.

## 4. <u>BUDGET</u>

ITA is a tax-exempt organization and as a governmental Agency must follow strict public procurement requirements in terms of assembling this IFB and awarding contract.

There is a maximum budget of \$150,000 USD (equal to Euro 146,085.00 based on the October 13th exchange rate USD/Euro 0.9739 by the Bank of Italy) allocated for this project.

This budget is inclusive of all agency fees, and any other professional fees, included any expense to travel to ICE New York Office, when and if agreed upon.



### **5.TENDER DOCUMENTS**

The tender documentation includes:

- 1. Invitation Letter
- 2. Annex 1 Acceptance of tender requirements
- 3. Annex 2 Economic Offer
- 4. Annex 3 Requirements for procurement procedures under the European Union threshold

### **6.ECONOMIC OFFER**

## To present the Economic Offer, please:

- read carefully this IFB;
- · Quote the discount rate

## 7.REQUIREMENTS FOR THE SUBMISSION OF PROPOSALS AND DEADLINE

According to Italian law and under penalty of exclusion:

- 1. The Main Envelope shall clearly contain TWO internal separate ENVELOPES, both closed and sealed, respectively:
  - "A Administrative Documentation"
  - "B Economic Offer"

Failure to seal envelopes "A" and "B" inserted in the envelope, as well as their lack of integrity such as to compromise confidentiality, are causes of <u>exclusion from the tender</u>.

# A. ENVELOPE "A" marked ADMINISTRATIVE DOCUMENTATION + NAME of the COMPANY and OBJECT OF THE TENDER

In this Envelope the bidder, <u>under penalty of exclusion</u>, <u>must submit the following documents</u> signed by its director or management member:

- 1. Annex 1 Acceptance of tender requirements, duly signed for acceptance.
- 2. Annex 3 Requirements for procurement procedures under the European Union threshold, <u>duly</u> filled in, dated, <u>signed</u> and notarized along with a photocopy of the signer's valid ID (State issued driver's license or ID or Passport).
- B. ENVELOPE "B" marked ECONOMIC OFFER + NAME of the COMPANY

This envelope <u>must contain only the "Economic Offer"</u> for the requested service, to be completed in accordance with the attached Annex 2. It shall be expressed clearly in numbers and letters and, <u>under penalty of exclusion</u>, <u>must be dated</u> and <u>signed</u> by the director or managing member of the bidder.



The price offer the service must be indicated **ONLY in the Economic Offer Form (Annex 2)** 

The offer must be valid for 180 days from its submission.

The <u>Main Envelope</u> containing all the part of the offer, must be sealed and send, only by express courier (not hand delivery), to the ITA New York office, at the following address: Italian Trade Agency, New York Office, 33 East 67<sup>th</sup> Street, New York, NY 10065

<u>The Main Envelope</u> must be received by the Italian Trade Agency, New York Office, within 16:00 PM (EST) of October 31<sup>st</sup>, 2022, exclusively at the address indicated above.

The timely delivery of the envelope is at the sole risk of the senders, and ITA assumes no responsibility if they are not received by the deadline or are not intact. No compensation or reimbursement of expenses is due to the economic operators for the presentation of the offer. It should be noted that "sealing" is to be understood as an airtight seal bearing any sign or imprint, affixed to plastic material such as a glued strip or sealing wax, such as to seal the envelope and envelopes, attest to the authenticity of the original seal coming from the sender, and guarantee the integrity and non-tampering of the envelope and envelopes.

- 4. All parts of the offer must be submitted in one single closed and sealed envelope ("MAIN ENVELOPE"), that must bear, outside, the complete information relating to the competing economic operator (Company name, TAX ID number, and complete address, including telephone and email, where all subsequent notices shall be sent).
- 5. The Main Envelope must also indicate on the outer surface:
  "CONFIDENTIAL DO NOT OPEN Bid Documents: Selection of a Head-Hunting Agency for the search for two (2) Foreign Direct Investment Specialists CIG: XXXXXXXX

No offers shall be accepted and therefore will be excluded from the tender process if:

- they are received after the deadline or have been presented in a form other than that indicated above.
- they are conditional or do not clearly accept the conditions required, create misunderstandings as to the contractor's willingness to adhere fully to the said conditions or the indication of the cost;
- they are incomplete, even if mailed within the stated deadline. An offer is deemed to be incomplete if a bidder does not accept all the terms of this IFB.
- there are multiple offers. Each bidder must participate by submitting a single bid.

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

ITA has the authority to award the contract even if only one bid has been submitted, provided it be deemed valid and worth accepting. Moreover, ITA has the authority not to award the contract, if it deems it appropriate to exercise the right of self-protection and if it finds that the bids received do not comply with the technical and financial contents set forth herein.

In the event of a tie, the companies with identical scores will be called for a draw in public session.



No compensation or reimbursement of expenses will accrue to the invited bidder because of the submission of the bid.

### **8.SECURITY DEPOSIT**

Under Italian Law (D.Lgs. 50/2016, commonly referred to as "Codice Appalti), the winner of the bid must submit a performance surety bond or a non-transferable cashier's check that amounts to 10% of the estimate amount of the bid (USD 15,000.00) before signing the contract. The expenses to obtain the performance surety bond shall be the responsibility of the bidder.

The performance surety bond or the non-transferable cashier's check will be returned to the Agency at the conclusion of the contract, after ITA has determined that all obligations and performance of the awarded Agency have been properly performed in accordance with the Framework Contract, the individual service awards, and applicable laws of the State of New York.

The performance surety bond or a non-transferable cashier's check, whichever you choose, must be issued in favor of: Italian Trade Agency, New York Office, 33 East 67<sup>th</sup> Street, New York, NY 10065

The final guarantee may be enforced by ITA in the event of fraud or default attributable to the performer.

## **9.REMEDY PROCEDURE**

Incorrect, incomplete, or irregular contents in envelope "A" Administrative Documentation" will be ascertained and notified to the offering company. Pursuant to Art. 83, Par. 9 of Legislative Decree no. 50/2016, the offering company with an incomplete application, will be given an opportunity to cure.

Only the shortcomings of any formal element of the "Administrative Documentation" containing in the envelope "A", 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. 83, paragraph 9 of the Legislative Decree no. 50/2016.

For the purposes of the amnesty, the Contracting Authority assigns to the tenderer 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 tenderer 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 tenderer from the procedure.

The essential irregularities that cannot be remedied are those inadequacies in the documentation that do not permit identification of the content or the person responsible for it.

## **10. NO SUBCONTRACTS OR TRANSFER OF SERVICES**

It is expressly forbidden to resort to subcontracts, in consideration of the nature of the services, which need a trustworthy interlocutor.



## 11. CRITERIA FOR THE AWARD OF THE TENDER AND ANOMALY OF THE OFFER

According to art. 11 of the above DM 192/2017, the service will be awarded to the Agency presenting the lowest bid.

The contracting Authority, before preparing the award, will assess the fairness of the offers pursuant to the provisions of art. 13 c. 1 lett. b) of DM 192/2017. This is without prejudice to the right of the contracting station to verify the fairness of any other offer that, based on specific elements, appears abnormally low pursuant to art. 13 c. 2 of DM 192/17.

### 12. EVALUATION PROCESS

The bid documents will be opened and examined in a <u>Public Session on November 1<sup>st</sup>, 2022 at 11:00 AM</u> <u>via a Google Meet video meeting or in presence at ITA OFFICE</u> 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 link and more details will be communicated, via email to the email address provided for communications. 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.

Should the awarded Agency fail to stipulate the contract or launch the contract within the established terms, the award will be revoked, and the contract awarded to the next economic operator in the ranking list.

The awarded Agency shall have the task of providing the Services described in this IFB.

### **13. CONTRACT SIGNATURE**

The awarded Agency shall have the task of providing the Services described in this "IFB".

ITA and the Awarded Agency shall enter a Contract based on the bid value offered by the awarded Agency.

### 14. AGENCY'S OBLIGATIONS

The Agency is required to carry out the service with the maximum care and diligence, in accordance with the provisions of these specifications and in accordance with the procedures described below. The contracted Agency undertakes to:

- Submit a list of five candidates for the San Francisco FDI desk within two weeks of the contract being awarded.
- Submit a list of five candidates for the New York FDI desk within two weeks of the contract being awarded.
- The Two lists must be submitted to ITA NY on a date to be determined before the signing of the contract, but preferably by November 22<sup>nd</sup>, 2022.

The ITA will select and name the winning candidates. The candidates must be informed by the Head-Hunting Agency that to complete checks by ITA HQ in Rome, the winning candidate will be informed by the ITA after about two months of completion date of the selection procedure.



## **15. ITA'S OBLIGATIONS**

ITA undertakes to pay the Agency on completion of the search process.

### **16. PAYMENT TERMS**

Italian law does not allow advance payments for public contracts. Therefore, the payment will be made once service has been rendered.

Payments will be made by ITA in USD within 30 days of receipt of an invoice made out to: ITA - Italian Trade Agency — New York Office 33 East 67<sup>th</sup> Street, New York NY, issued by the awarded service provider.

Invoices will be settled by direct deposit based on the services rendered. All the necessary information to execute ACH transfers must be included in each invoice and/or communicated to ITA.

In this regard, we inform you that this tender is identified by the C.I.G. code indicated in the object that must be reported in the reason for payment.

Prior to the stipulation of the contract, the successful bidder is required to provide a specific definitive guarantee, pursuant to art. 15 c. 1 of Ministerial Decree 192/2017 in accordance with what is regulated in point no. 10 "Security Deposit.

## 17. PAYMENT OF THE CONTRIBUTION TO ANAC

Pursuant to art. 1 of the ANAC Resolution no. 1174 of 19 December 2018, when contracting Authority is operating abroad; the contracting Authority and the economic operators are exempt from paying the contribution.

## 18. RULES OF CONDUCT OF THE AGENCY AND/OR STAFF OF THE AGENCY

In the execution of the contract, the awarded Agency undertakes to fully respect the Code of Conduct adopted by ITA with respect to the provisions of Presidential Decree 62/2013 approved by the Board of Director by resolution no. 547/21 on 02/23/2021.

The Code of Conduct is available on the website <a href="https://www.ice.it/it">https://www.ice.it/it</a> at the section "Amministrazione Trasparente" (Transparent Administration) — "Disposizioni general/" (General provisions) — "Atti generali" (Acts of general application) "Code of Conduct".

For any breach of obligations under the code, if the same in 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.

#### **19. REFERRAL RULES**



For all other terms and conditions not regulated herein, please refer to the provisions of Ministerial Decree 192/2017; the civil law governing the conclusion of the contract and the execution phase shall be determined in accordance with the applicable rules of private international law.

#### 20. COMPETENT JURISDICTION

In case of dispute between the Italian Trade Agency and the Appointed Contractor, the Court of Law of New York will be the competent jurisdiction.

### **21. PRIVACY**

The awarded Agency is invited to read the Information on the processing of personal data pursuant to Regulation (EU) 2016/679 ("RGPD"), available on the institutional website of ICE-Agenzia at https://www.ice.it/it/privacy.

Access to tender documents is governed by Law no. 241 of August 7, 1990.

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**.

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

The bidding process is governed under art. 36, Par. 2, Lett. b of Legislative Decree 50 of April 18, 2016 ("Codice degli Appalti") which governs public procurements in Italy.

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.

## **22. WHISTLEBLOWING**

By accessing the website www.ice.it - section "Whistleblowing", available at the following link: <a href="https://ice.whistleblowing.it/#/">https://ice.whistleblowing.it/#/</a>it is possible to report in complete confidentiality any "unlawful conduct" found within the contractual relationship, pursuant to Article 54-bis, paragraph 2 of Legislative Decree 165/2001 (as amended by Law no. 179/2017).

If you have any questions regarding this tender, please contact: Claudio Bertinetto – Head of Division - Information, Investments and Startup - Italian Trade Agency – New York Office - Email: <a href="mailto:newyork@ice.it">newyork@ice.it</a>

Cordially.

Antonino Laspina Trade Commissioner Italian Trade Agency

