

## GOOGLE COURTESY TRANSLATION OF THE MARKET SURVEY NOTICE U-BUY N. A00086

### FOR EXPRESSION OF INTEREST TO PARTICIPATE IN THE NEGOTIATED PROCEDURE WITHOUT CALL FOR THE *SUPPLY OF A HYPERSPECTRAL RADIOMETER FOR THE AUTOMATIC MEASUREMENT OF THE ZENITH RADIANCE* IN THE CONTEXT OF THE PER-ACTRIS-IT PROJECT.

With this notice ENEA - National Agency for New Technologies, Energy and Sustainable Economic Development - Lungotevere Thaon di Revel, n. 76 - 00196 Rome - URL <http://www.enea.it> - NUTS ITE43 code, intends to carry out a market survey pursuant to art. 36 of Legislative Decree n° 50/2016 and subsequent amendments, for the award of the supply referred to in the title, approved with Determination n. 75/2021/SSPT-PROTER of 09/09/2021, aimed at identifying economic operators to be invited to a negotiated procedure without a tender for the award of the aforementioned supply, pursuant to Article 1 paragraph 2 lett. b) of Legislative Decree 76/2020, converted into Law 120/2020, as amended by the D.L. 77/2021 of 05/31/2021 converted into Law no. 108 of 07/29/2021.

**With this notice, no tender procedure or competition assignment procedure is announced and there are no rankings of merit or attribution of points; it is simply a fact-finding survey aimed at identifying economic operators to be invited to the subsequent negotiated procedure. This notice is for exploratory purposes only, without setting up legal or negotiating positions towards the Agency.**

The Agency reserves the right to suspend, modify or cancel, in whole or in part, the procedure initiated, and not to proceed with the call for the subsequent negotiated procedure for the award of the supply in question, without the parties applicants can have any claim whatsoever.

The Agency reserves the right to proceed with sending the invitation letter even in the presence of only one valid expression of interest.

#### **1. SUBJECT OF THE CONTRACT**

The contract has as its object the supply of:

- n. 1 (one) *hyperspectral radiometer for the automatic measurement of radiance at the zenith.*

The above instrument must possess the characteristics and requirements detailed in *Annex B - Specifications\_technical\_radiometer\_hyperspectral*. The instrument refers to the LMP\_CLOUD\_INSTRU2\_BIS\_ENEA form, code PIR01\_00015\_N004058 relating to the OR-5 realization goal of the PER-ACTRIS-IT project.

CPV code: 38126200-6 (Apparatus for surface observation of solar radiation)

NUTS: ITG14 (Agrigento) - Place of delivery: Laboratory of Observations and Measurements for the Environment and Climate, Contrada Capo Grecale, 92031 Lampedusa (AG) - Italy.

## **2. SUPPLY AND ESTIMATED AMOUNT OF THE CONTRACT**

The supply must take place no later than 90 days from the date of issue of the order, which will be executed and remunerated with the lump sum system. The presumed total amount based on the tender amounts to € 9,200.00 *net of VAT* including shipping costs at the place of delivery.

Given the nature of the contract in question and the methods of carrying out the contract, no particular risks are envisaged for safety purposes, compared to those specific to the business of the economic operator.

## **3. TENDER PROCEDURE**

The choice of the contractor will be made through a negotiated procedure to be carried out on the U-BUY negotiating platform of ENEA, pursuant to art. 1 paragraph 2 lett. b) of the D.L. n. 76/2020, as amended by the D.L. 77/2021 of 05/31/2021 converted into Law no. 108 of 07/29/2021.

## **4. AWARD CRITERIA**

The award will be awarded with the criterion of the lowest price pursuant to art. 1, paragraph 3 of the D.L. n. 76/2020 and subsequent amendments.

## **5. MINIMUM REQUIREMENTS FOR PARTICIPATION**

The economic operators indicated in art. 45 of Legislative Decree 50/2016 and subsequent amendments, for which there are no grounds for exclusion pursuant to art. 80 of Legislative Decree 50/2016 and subsequent amendments (absence of causes preventing to contract with the Public Administration on the basis of the provisions of the law in force) and in possession of the following requisites:

- a. **Professional suitability requirements (pursuant to Article 83 paragraph 3 of Legislative Decree 50/2016):**

Registration in the C.C.I.A.A for the category of activity object of the contract, or in the professional register of the country of residence for companies not based in Italy.

## **6. TERMS AND METHOD OF PRESENTATION OF THE EXPRESSION OF INTEREST**

The expression of interest for participation in this market survey must be made using the form provided attached to this notice (Annex A) or in accordance with the same, drawn up in Italian, duly completed and signed by the legal representative or subject with valid power of attorney.

If documents in a language other than Italian are produced and / or attached, they must be accompanied by a translation into Italian by a qualified translator according to the laws of the country to which the economic operator belongs, at the expense and responsibility of the same.

The aforementioned declaration, together with a copy of the valid identity document of the declarant, must be received no later than 12:00 noon on 29/09/2021 by certified e-mail to the attention of the RUP Giandomenico Pace at the following PEC address : [enea@cert.enea.it](mailto:enea@cert.enea.it), specifying in the subject "*Expression of interest in participating in the negotiated procedure without tender for the award of the supply of a hyperspectral radiometer for the automatic measurement of radiance at the zenith in the context of the PER-ACTRIS-IT project*".

Applications received after the aforementioned deadline will not be taken into consideration.

The application form and the attached documents must be signed with a "digital signature" by the legal representative, or attorney, of the economic operator.

## **7. DATE OF SENDING AND PUBLICATION ON THE CUSTOMER PROFILE**

This notice has been published on the Agency's website, in the section "Tenders and Notices of Interest" on the page <https://www.amministrazionetrasparente.enea.it/bandi-di-gara-e-contratti/atti-relating-to-the-procedures-for-the-award-of-public-works-tenders-services-supplies.html>, on 15/09/2021.

It will remain published and valid for the purposes of the expression of interest in question for 15 consecutive calendar days, starting from the date of publication.

## **8. INVITATION OF CANDIDATES TO PARTICIPATE IN THE NEXT PHASE OF THE NEGOTIATED PROCEDURE FOR AWARDING THE CONTRACT.**

The Administration, having completed this market survey, will send the letter of invitation to participate in the negotiated procedure, without notice, pursuant to art. 1 paragraph 2 lett. b) of the D.L. n. 76/2020 converted into Law no. 120/2020, as amended by the D.L. 77/2021 of 05/31/2021 converted into Law no. 108 of 07/29/2021, to operators who have usefully formulated the expression of interest and in possession of the requisites required in this notice.

The Agency reserves the right to proceed with the competitive comparison even if the number of candidates who have expressed their interest is lower than the minimum number provided for in the

same article, inviting them to the negotiated procedure. The procedure will also be carried out in the presence of a single expression of interest and will be awarded even in the presence of only one valid offer.

## **9. DATA PROCESSING**

The processing of the data sent by the interested parties will take place in accordance with the provisions contained in the Legislative Decree 196/2003, as amended by Legislative Decree. n. 101/2018 and by the GDPR, General Data Protection Regulation (EU 2016/279), for purposes only related to the procedure in question.

## **10. RESPONSIBLE FOR THE PROCEDURE**

For further information, contact the RUP, dott. Giandomenico Pace email address: [giandomenico.pace@enea.it](mailto:giandomenico.pace@enea.it); tel: +390630483037.

Roma, 15/09/2021

Il Responsabile del Procedimento



ALLEGATI

All. A – Form for participation in the market survey

All. B – Technical specifications.