

# **OPEN COMPETITIVE TENDER FOR THE SELECTION OF THE IMPLEMENTING BODY OF THE PROGRAMME FOR INFORMATION AND PROMOTION OF AGRICULTURAL PRODUCTS IN THE INTERNAL MARKET NAMED “EUROPEAN FRUIT AND VEGETABLES: YOUR FRESH AND SUSTAINABLE CHOICE!” – ACRONYM “EU FRESH CHOICE IM2” - INVITATION TO PRESENT PROPOSALS AGRIP-SIMPLE-2022**

## **TECHNICAL SPECIFICATIONS**

### **1 – Preliminary Information**

**Terra Orti Società Cooperativa** – with its registered address in Via Bagnolo San Vito snc – 84025 Eboli (SA) – Italia – C.F. / P. IVA 03605110653 – REA Salerno 308882 – Tel. +39 0828 601213 – Fax +39 0828 600103– e-mail [info@terraorti.it](mailto:info@terraorti.it) - PEC terraorti@pec.it, Lead of the Proposing Organisation and Coordinator of the consortium formed of Terra Orti Società Cooperativa, Associazione Ortofrutticoltori Agro Scarl (A.O.A. Scarl), La Deliziosa Soc. Coop. Agr, O.P. Meridia Società Cooperativa Agricola, O.P. Agritalia Società Cooperativa, hereinafter the “Client”, announces a public Tender for the selection of an “Implementing Body” through an Open Competitive Procedure.

#### **1.1 – Framework**

In accordance with EU Regulations n. 1144/2014, n. 1829/2015 and n. 1831/2015, the Client must **select an Implementing Body for the three-year information and promotion programme** named ““European Fruit and Vegetables: Your Fresh and Sustainable Choice!” (Acronym “EU FRESH CHOICE IM2”) – ID 101095373 - hereinafter named the “Programme” – **submitted to the Call AGRIP-SIMPLE-2022 “Call for proposals for simple programmes 2022” - IM-FRESH-FV – and approved with decision of the European Commission No C (2022) 7918 of 09/11/2021.**

The Client is not a body governed by public law pursuant to art. 2, paragraph 1 point 4 of the Directive 2014/24/EU and consequently is not held to apply the national laws which transpose the application of the European Directive on public procurement (in Italy Legislative Decree 50/2016). However, the Client is held to carry out the selection of the Implementing Body through a open competitive procedure respecting the principles of cross-border interest, transparency, publicity, impartiality and equal treatment of applicants.

The Client as Lead Proposing Organisation and Coordinator of the consortium Terra Orti Società Cooperativa, Associazione Ortofrutticoltori Agro Scarl (A.O.A. Scarl), La Deliziosa Soc. Coop. Agr, O.P. Meridia Società Cooperativa Agricola, O.P. Agritalia Società Cooperativa, thereby announces a public Tender through an Open Competitive Procedure for the selection of an Implementing Body engaged to implement the three-year Programme “European Fruit and Vegetables: Your Fresh and Sustainable Choice!” – Acronym “EU FRESH CHOICE IM2”.

#### **1.2 – Legal Framework and Reference documents**

The applicable legal framework for the implementation of the Programme and this procedure consists of:

- a) Regulation (EU) No 1144/2014 of the European Parliament and of the Council of 22 October 2014 on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries and repealing Council Regulation (EC) No 3/2008 (OJ L 317, 4.11.2014, p. 56);
- b) Commission Delegated Regulation (EU) 1829/2015 of 23 April 2015 supplementing Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries (OJ L 266, 13.10.2015, p. 3);
- c) Commission Implementing Regulation (EU) 1831/2015 of 7 October 2015 laying down rules for application of Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in the third countries (OJ L 266, 13.10.2015, p. 14);
- d) The guidance provided on the application of the competitive procedure for the selection of implementing bodies in the European Commission note DDG1.B5/MJ/db D (2016)3210777 of 7 July 2016;
- e) The Call for Proposals - AGRIP-SIMPLE-2022 - Simple Programmes - Grants to information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries in accordance with Regulation (EU) No 1144/2014

- f) the MIPAAF Decree dated 17/10/2022 – Prot. N. 0526288 – concerning the selection procedure for the implementing bodies for simple programmes.

### **1.3 – Main information on the Programme**

#### *Products promoted by the Programme:*

The products promoted are edible vegetables and certain roots and tubers (07 in particular from 0701 to 0709 excluding codes 0710 to 0714) and edible fruit (08 in particular codes 0801 a 0810 excluding codes 0811 to 0814).

#### *Target countries / markets:*

Italy, France, Germany and Spain

#### *General objective:*

Increase the consumption of fresh fruit and vegetables as well as the export / domestic consumption of Italian fruit and vegetable products by optimizing their image and increasing the level of awareness of their quality, safety, sustainability, health benefits and versatility.

#### *Specific objectives:*

1. Increase the percentage of consumers in the four target markets who consume at least 5 portions of fresh fruit and vegetables a day by improving their level of knowledge and awareness of the origin, quality, safety, sustainability of the promoted products and, more generally, the benefits of their consumption. This objective will be achieved both through field activities aimed at this target group and, more indirectly, through social media, advertising, partnerships with micro-influencers, etc.
2. Achieve (by the end of 2025) an overall increase in the export of Italian fruit and vegetables or in domestic consumption (in the case of the Italian target market) equal to 9.2% (+16.2% in France, +1.1% in Germany, +11.8% in Spain and +10.3% in Italy) compared to 2021. This objective shall be achieved both through activities aimed at importers, distribution professionals and the HoReCa channel and through those aimed at consumers and their main influencers (journalists, food bloggers, nutritionists, chefs, etc.).

#### *Target groups:*

1. Food sector professionals (distributors - including online, importers, retailers and the HoReCa channel)
2. Opinion makers (journalists, writers, influencers, food, food and wine, nutrition and lifestyle bloggers, chefs, foodies, nutritionists, etc.)
3. Consumers in the 18-64 age group in France, Italy, Spain (with attention to the subgroups 35-54 and 55-64 years) and 18-55 years in Germany.

#### *Activities to be carried out:*

Public relations/press office activities, organisation of press events and partnership with micro-influencers

Integration of the website, updating, content creation, maintenance and SEO strategy.

Social media management of the accounts on Facebook, Instagram e YouTube, production of contents and community management

Advertising (press and social media)

Communication tools and materials (photos, below the line communication tools)

Participation in international trade fairs

Workshops B2B con importers, distributors and retailers and daily programmes of workshops and cooking demos during the Salone della dieta mediterranea with opinion leaders, food distribution professionals and experts

Educational Tours

Updating/adaptation of communication strategy/concept and key visual

#### *Duration of Programme and the contract:*

36 months (subdivided into 3 12-month phases with indicative start on 1 March 2023)

#### *Overall value of the Programme:*

**€ 2,692,172.00 net of VAT**

#### *Overall value of this Contract:*

**€ 2,069,100.00 net of VAT divided as follows:**

**Year 1: € 661,500.00**

**Year 2: € 825,600.00**

**Year 3: € 582,000.00**

The contract is a single lot.

## **2 – Object of the Contract**

### **2.1 – General description of the service**

The service consists of the implementation of the Programme.

The contractor must, therefore, following the signature of the contract, ensure the delivery of the three-year

Programme and the implementation of the communication and promotional activities foreseen in the plan of the programme on the basis of the stated general and specific objectives, also through the ongoing monitoring of the activities carried out and the preparation of technical reports (periodic and final).

The service must provide professional technical and operational support, ensure the high quality of its deliverables, and be distinctive through innovative messages and communication tools as well as in its approach to attracting the stated target groups. The development and delivery of the Programme must be coherent with the general and specific objectives of the Communication Strategy, in the context of the priorities and objectives of Reg. EU 1144/2014 and ensure a clear awareness of the Programme and the proposing organisation.

## **2.2 – Performance of the service**

The contractor must establish and maintain a Working Group responsible for the management and implementation of the Programme throughout the duration of the contract, in line with the requirements for participation, agreeing and sharing with the Client the activities to be carried out. It is expected that at least two of the members of the Working Group are available to attend quarterly and annual monitoring meetings that will take place at the Client's headquarters to provide operational support to Programme activities that need to be carried out in strict coordination with the Client. Coordination of the activity and exchanges of information with the Client may also include: other meetings, phone contact, videoconferences, email, and exchange of material and documents online.

## **2.3 – Working Group**

The contractor must guarantee the delivery of the service with its own staff and / or external associates with the required professional and technical qualifications for the assigned activities. The Working Group shall be characterised with a flexible organisational approach in order to respond to any needs that may arise during the course of delivery of the activities. In particular, the members of the Working Group should possess a range of professional experience with particular reference to the following fields: developing communication and marketing strategies, development of websites, preparation of communication materials above and below the line, social media management, organisation of press conferences, workshops, cooking demos, meetings, educational study tours, design/setting up of exhibition stands and organisation of promotional activities within international trade fairs, public relations and organisation of activities for opinion makers, press office management, advertising (print and social media), project management and monitoring of the results.

The contractor must ensure that:

- a) It uses for the service its staff and/or associates that are suitable, and with proven capacities, honesty, trustworthiness, and discretion;
- b) It guarantees the stability and continuity of the service in all circumstances, providing personnel and/or associates in sufficient numbers and of a sufficient quality as required and respecting the content of the technical offer;
- c) It respects all the terms of employment contracts relating to salaries, legal rights and social security and insurance contributions with regards to its staff and / or associates.

## **3 – Duration of the service**

The duration of the service is thirty-six (36) months from the signature of the contract which will be stipulated between the Client and the Contractor within 30 days of the signature of the Grant Agreement between the Client and Paying Agency of the Member State (AGEA) and will have as its subject the activities indicated in the technical specifications under the stated conditions. The Client reserves the right to ask for an extension of the end date of the duration of the service for a maximum additional 6 (six) months to guarantee the completion of all the activities foreseen in the Programme, under the same financial conditions.

## **4 – Conditions for participation**

Economic operators, also established in other Member States of the European Union, can participate in this tender either singly or may fulfil the requirements relating to possession of economic, financial, technical and professional capacity by relying also on the capacities of another entity,

It is forbidden for a competitor participating in the tender together with another entity to participate singly.

The tenderer must be in possession of the requirements stated in the following points.

### **4.1 – Requirements for participation**

**Registration** in the Chamber of Commerce, Industry, Crafts and Agriculture for activities in line with the object of this tender (as stated in the copy of the Chamber registration). A tenderer established in another member state than Italy should present a sworn statement or official document pursuant to the applicable law in the State where it is established.

#### **4.2 – Absence of grounds for exclusion from participation in the Tender**

Participation in this tender is reserved for economic operators who, on the date of the presentation of the offer, declare that no grounds for exclusion exist in accordance with Directive 2014/24/EU, or else grounds for exclusion that are associated with:

- Criminal convictions;
- Omitted payment of taxes or social security contributions;
- Insolvency, conflict of interest or professional misconduct.

The absence of these grounds for exclusion shall be attested to by means of the attached declaration (**Annex A**) signed by the legal representative.

#### **4.3 – Requirements of economic and financial capacity**

The economic operator that intends to participate in this tender must demonstrate either singly or relying also on the capacities of another entity, to have registered in **the three-year period of 2019/2021, an average annual turnover** not less than 2,000,000.00 Euro (two million Euro) net of VAT.

The possession of this requirement shall be attested to by means of the attached declaration (**Annex A**) signed by the legal representative and the presentation of **the balance sheets of the last three financial years. In the case where the economic operator relies also on the capacities of another entity, Annex A and all the remaining documentation must also be provided by the auxiliary undertaking.**

#### **4.4 Requirements of technical and professional capacity**

The economic operator that intends to participate in this tender must demonstrate, either singly or relying also on the capacities of another entity, to have **carried out in the period 2019/2021 services similar to the ones covered by the tender**. For similar services are intended international promotion and information programmes / activities such as (by way of example and not limited to): management of international promotion projects / programmes; organisation of events, press conferences, workshops, cooking demos, meetings, in-depth press / educational tours; design, set-up, management and animation of international trade fairs; press office management and public relations aimed at opinion leaders; development of communication and marketing strategies; social media management; creation and development of websites; design and creation of communication material above and below the line; advertising management (print media and social); agri-food sector promotional activities.

The possession of this requirement shall be attested to by means of the attached declaration (**Annex A**) signed by the legal representative bearing in the annex the presentation of the economic operator inclusive of a brief description of the main similar services performed as well as the description of the working group and the brief professional profiles of its identified members. **In the case where the economic operator relies also on the capacities of another entity, Annex A must also be provided by the auxiliary undertaking.**

In the case where the economic operator also relies on the capacities of another entity, the following declarations must also be included:

- declaration signed by the legal representative of the competing economic operator declaring the joint possession of the necessary requirements to participate in the tender, with a specific indication of the requirements supplied and capacities made available by the auxiliary undertaking;
- declaration signed by the legal representative of the auxiliary undertaking declaring the absence of grounds for exclusion from participation in the tender as well as the possession of those requirements and capacities made available by the auxiliary undertaking as part of the offer (**Annex A**);
- unconditional and irrevocable declaration signed by the legal representative of the auxiliary undertaking guaranteeing towards the competing economic operator and the Client that the necessary resources which the competing economic operator does not dispose of will be made available for the whole duration of the contract;
- declaration signed by the legal representative of the auxiliary undertaking that it will not participate in the tender singly or associated or in consortium with other economic operators and will not provide capacities

for other competitors;

- copy of the contract with which the auxiliary undertaking guarantees that it will provide the necessary requirements and capacities to the competing economic operator for the whole duration of the contract; in case the competing economic operation relies on an entity that belongs to the same group, in place of a contract a declaration attesting the legal and financial relationship in the group may be presented;
- copy of the certificate showing the registration of the auxiliary undertaking in the Chamber of Commerce for the activities relating to those that are the object of the above contract between the economic operator and the auxiliary undertaking (in the case of an economic operator that is not resident in Italy and without a stable organisation in Italy, documentation of equivalent legal value in force in the respective country of residence or sworn declaration).

#### 4.5 – Subcontracting

The competitor may indicate in the offer the parts of the service that it intends to subcontract up to 30% of the total value of the contract. It is not grounds for exclusion but if the competitor indicates one or more subcontractors that at the same time compete singly in this tender, the competitor will not be allowed to subcontract to them.

#### 4.6 – Bank guarantee

In case of the award of the tender, the economic operator shall present a bank guarantee issued by a banking institute or insurance company possessing the necessary authorisations equal to 10% of the amount entrusted for each year. The guarantee for the first year must be consigned in original at least 5 (five) days before the signature of the contract. The guarantees related to successive years must be consigned in original within 30 days of the end of the guarantee issued for the previous year.

### 5 – Method of presentation of the offers and signature of the tender documents

With a **failure to comply resulting in exclusion**, the packet containing the proposal must be sealed and sent by registered post or courier or consigned by hand on weekdays, excluding Saturday and Sunday, from 9.00 to 17.00 at the registered address of the Coordinator of the consortium: Terra Orti Società Cooperativa – Via Bagnolo San Vito snc – 84025 Eboli (SA) - Italy. Offers sent via certified e-mail or by other electronic means will not be considered valid. The packet must be consigned at the stated address **by and no later than 12.00 (Italian time) on 16 December 2022**, with failure to comply resulting in exclusion. In case of delivery by hand, the responsible employee shall provide a receipt with the date and time of delivery of the packet. The delivery of the packet shall remain at the exclusive risk of the sender in the event that for any reason whatsoever, it does not reach the destination within the aforementioned final deadline. The term “sealed” means hermetic closure that bears any sign or stamp placed on a plastic material such as adhesive tape or sealing wax, which closes the packet and the envelopes contained within it, attesting to the authenticity of the original closure from the sender as well as assuring the integrity of the packet and the envelopes and that they have not been tampered with.

On the outside of the packet, information relating to the competing economic operator (name or trading name, VAT number, PEC - certified email address - for communication) must be stated and the packet labelled with the following statement: **NON APRIRE - Bando di selezione mediante procedura competitiva aperta per la selezione di un organismo incaricato dell’esecuzione del Programma denominato “European Fruit and Vegetables: Your Fresh and Sustainable Choice! – EU FRESH CHOICE IM2”**.

The packet shall contain three closed and sealed envelopes, with the registered name of the sender, the object of the tender and the following information, respectively for each envelope:

“A – Administrative documentation”

“B – Technical Offer”

“C – Financial Offer”

The lack of seals on envelopes “A”, “B” and “C” inserted into the packet, or their lack of integrity are **failures to comply resulting in exclusion** from the competition.

All the self-certifying declarations in accordance with arts. 46 and 47 of d.p.r. 445/2000, as well as Annex A, the request to participate, the technical offer and the financial offer must be signed by the legal representative of the competitor and if the competitor relies also on the capacities of another entity, the legal representative of the auxiliary undertaking. In the case of competitors not established in Italy, all the documentation must be produced in equivalent legally valid forms in accordance with the legislation of the State where the economic operator is registered. The signatories shall attach a photocopy of a valid identification document.

All the documentation shall be provided in **Italian and/or English** and presented in paper format and electronic format - printable and copiable – on a USB stick, by the competitor, **by and no later than 12.00 on 16 December**

**2022.**

Further information and/or clarifications on the above procedure can be obtained EXCLUSIVELY through written questions submitted to the email address: [progetti@terraorti.it](mailto:progetti@terraorti.it) at least 3 days before the deadline for the presentation of offers. Oral requests or those sent in any other way shall not be taken into consideration.

## **5.1 – Contents of Envelope “A” – Administrative documentation and economic-financial and technical-professional requirements**

Envelope A contains the request to participate, Annex A, the certificate of registration at the Chamber of Commerce, Industry, Crafts and Agriculture (in the case of an economic operator that is not resident in Italy and without a stable organisation in Italy, documentation of equivalent legal value in force in the respective country of residence or sworn declaration) and the balance sheets relating to the three years 2019/2021 of the competitor and in the case the competitor relies also on another entity, of the auxiliary undertaking as well as all the other supporting documentation relating to the form of participation.

The **request to participate** contains the following information and declarations:

- whether the competitor participates in the tender singly or relies also on another entity for its participation;
- in case the competitor relies also on another entity, the competitor shall provide the identification information relating to each auxiliary undertaking (company name, VAT, registered address) and their role;
- declaration that the financial offer presented has in its formulation taken full account of: a) the contractual conditions and obligations including those relating to safety, insurance, working conditions, and all social security obligations that are in force in the place where the services/supplies are located; b) all the general, specific and local circumstances, excluding none, that may have influenced or could influence both the provision of the service, and the determination of the offer;
- that the competitor accepts without conditions and any reserve all the norms and provisions contained in the Technical Specifications;
- the following information: tax domicile; tax code / VAT number; PEC certified email address **or**, only in case of a competitor with a registered address in another member state, the email address for all communications;
- that the competitor authorises the Client to provide a copy of all the documentation presented for the participation in this tender if a participant in the tender exercises the right to access of the acts relating to the tender;
- states that the competitor is informed of the meaning and effects of article 13 of Legislative Decree no. 196 of 30 June 2003, that all personal data collected, also through electronic means, shall be treated exclusively for the purposes of the present tender, as well as the existence of the rights under article 7 of the same legislative decree.

Economic operators that are not resident in Italy and without a stable organisation in Italy shall in addition declare that in case of award they will align with the legislation set out in articles 17, comma 2, and 53, comma 3, of d.p.r. 633/1972 and communicate to the Client the name of their fiscal representative according to the law.

The competitor shall attach a photocopy of an identification document of the legal representative as well as all the documentation/declarations required in case the competitor relies on another entity (see the preceding point 4.4).

**Annex A** contains the following information:

- information on the economic operator;
- grounds for exclusion;
- selection criteria

In the case the economic operator relies also on another entity, Annex A should also be provided by the auxiliary undertaking.

Envelope A also contains the **Presentation of the economic operator** inclusive of the following information, **with failure to comply resulting in exclusion from the competition**:

**General presentation.**

- services/ action in the following fields: management of international promotion projects / programmes; organisation of events, press conferences, workshops, cooking demos, meetings, in-depth press / educational tours; design, set-up, management and animation of international trade fairs; press office management and public relations aimed at opinion leaders; development of communication and marketing strategies; social media management; creation and development of websites; design and creation of communication material above and below the line; advertising management (print and social media); agri-food sector promotional activities.
- Existing operational contacts in the four target markets.

**Description of the working group** dedicated to the implementation of the Programme, and the brief professional profile of the identified members with particular evidence given to activities and experience acquired in similar activities and projects for the agri-food sector.

**In case the economic operation relies also on another entity, the above information must also be provided by the auxiliary undertaking.**

## 5.2 - Contents of Envelope “B” – Technical Offer

Envelope “B – Technical Offer” contains, **with failure to comply resulting in exclusion from the competition**:

### a) Definition of the overall communication strategy

**In defining the proposed strategy, the following indications must be taken into consideration:**

- definition of the communication strategy and description of the coherence of the proposed strategy with the foreseen objectives of the Programme and the individual activities;
- description of the eventual adaptation proposed for the communication concept and key-visual already developed for the ongoing campaign [www.ilovefruitandvegfromeurope.com](http://www.ilovefruitandvegfromeurope.com); and coherence of the communication concept with the communication strategy and with the objectives of the programme;
- proposal of the concept and strategic key visuals in the standard formats that will be utilised;
- technical solutions and quality of the products.

The description of the proposed strategy should show concisely how it corresponds to the Client’s objectives, the reasons for its strategic choices in relation to the target market and the effectiveness of the proposed messages.

The report must contain all the elements capable of fully defining the concept, the communication strategy (Creative Project) and the production (Executive Project).

### b) Definition of activities and outputs of the Programme

**For each of the foreseen activities in the work packages as set out in Point 6**, the actions to be carried out must be detailed for each year and for each target market to achieve the set objectives and the related minimum output, result and impact indicators as set out in the summary table of indicators in Point 6. The activities and relative actions must be coherent with the proposed strategy and the identified target groups and set out according to the following points:

- detailed description of the activities;
- working group proposed for the realisation of the activities;
- products / services (implementation/outputs) that will be provided: description and quantification.

### c) Summary timetable of the activities sub-divided by target market and year.

## 5.3 – Contents of Envelope C – Financial Offer

Envelope “C – Financial Offer” shall contain, **with failure to comply resulting in exclusion from the competition**, the financial offer which must specify the following elements:

- **The overall price of the offer** expressed as a total and for each year in figures and letters, inclusive of VAT and of any other taxes and contributions as established by law.
- Furthermore, **for each activity described in Point 6**, the relative costs, inclusive of VAT and of any other taxes and contributions as established by law as well as the fee for the Implementing Body, must be detailed by year for each target market within a specific table (see the example below).

### EXAMPLE

Work package N° 5 / Activity N° 5.1	COMMUNICATION TOOLS AND MATERIALS		
	YEAR 1	YEAR 2	YEAR 3
Detailed costs foreseen for the implementation of the activity	Production of N. 36 photographic images and related texts for new recipes and N. 24 photographic images of crops and still- life - ... € Production of N. ....		

	brochure in ... format ... € Production of N. ... desk calendars in format .... € Production of N. ... Media kits .... € N.... shoppers/rucksacks .... € Etc.		
Fee for the Implementing Body	€		
<b>Total Work Package N° 5 / Activity N° 5.1</b>	€	€	€

The total annual cost of each activity and the total annual cost of the Implementing Body shall also be presented separately in a specific summary table (see the example below).

ACTIVITY	YEAR 1	YEAR 2	YEAR 3	TOTAL 3 YEARS
<b>A - COST FORESEEN FOR THE IMPLEMENTATION OF THE ACTIVITIES</b>				
<b>B - IMPLEMENTING BODY FEE</b>				
<b>C – TOTAL COST (A+B)</b>				
<b>D - % IMPLEMENTING BODY FEE (B) IN RELATION TO THE COST FORESEEN FOR THE IMPLEMENTATION OF THE ACTIVITIES (A)</b>				

In preparing the financial offer, each tenderer should bear in mind that in accordance with article 7, comma 1, letter b) of the decree of the President of the Republic n. 403 of 21 September 2001, the following percentages of the financial value of the service must in all cases be respected: a) the Implementing Body fee must not be more than 25%; b) realisation/ production not less than 75% of the total.

## 6 – Activities foreseen by the Programme to be implemented

<b>Work Package N° 2</b>	<b>PUBLIC RELATIONS</b>
<b>Activity N° 2.1</b>	<b>Continuous public relations and press office activities and partnerships with micro-influencers</b>
<b>Target groups</b>	<b>Opinion makers (journalists, food bloggers &amp; food writers, chefs, influencers, foodies, nutritionists), food sector professionals and consumers</b>
<b>Brief description of the activity and required outputs</b>	The activity includes: - The annual update of the four existing mailing lists - The creation of a press kit / year / country in digital format in English and in the language of the target market - The creation and online submission of at least 4 press releases / year / country - The involvement of 5 micro-influencers / year / country for the inclusion of the promoted products in their online and online activities and in the organisation of 5 prize competitions / year / country for their followers.



	- The preparation of an annual review of the articles and posts published which also contains data on the users reached for each target market.		
<b>Indicative 3-year budget</b>	€ 290,000		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>Work Package N° 2</b>	<b>PUBLIC RELATIONS</b>		
<b>Activity N° 2.2</b>	<b>Organisation of press events</b>		
<b>Target groups</b>	<b>Opinion makers (journalists, food bloggers &amp; food writers, chefs, influencers, foodies, nutritionists etc), food sector professionals</b>		
<b>Brief description of the activity and required outputs</b>	<p>The activity comprises the organisation of four press events: in Rome and Madrid in year 1, and in Berlin and Paris in year 2. Each event shall host at least 80 opinion leaders and influencers and be followed by a welcome tasting featuring a menu using the promoted products. The events shall be broadcast live via Facebook / Instagram and YouTube.</p> <p>The successful tenderer will have to ensure the complete management of each event and all the related organizational aspects: selection of locations, site inspections, verification of the availability and functioning of the technical equipment, preparation, transport and distribution of promotional materials, photo and video service, welcome reception, assistance, monitoring and promotion activities, review of articles and posts published and users reached.</p>		
<b>Indicative 3-year budget</b>	€ 112,000		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>Work Package N° 3</b>	<b>WEBSITE AND SOCIAL MEDIA</b>		
<b>Activity N° 3.1</b>	<b>Integration of the website, updating, maintenance and SEO strategy.</b>		
<b>Target groups</b>	<b>Opinion makers (journalists, food bloggers &amp; food writers, chefs, influencers, foodies, nutritionists, etc), food sector professionals and consumers</b>		
<b>Brief description of the activity and required outputs</b>	<p>This activity includes:</p> <ul style="list-style-type: none"> <li>- Renewal of additional extensions .fr, .de, .it and .es</li> <li>- Update of the SEO strategy for each target market.</li> <li>- Preparation and uploading of new content.</li> <li>- Integration and updating of the website <a href="http://www.ilovefruitandvegfromeurope.com">www.ilovefruitandvegfromeurope.com</a> and its four additional extensions as indicated above with 36 new recipes (photos and texts – see activity 5.1), with 2 video recipes / year with subtitles in English and</li> </ul>		

	<p>in the four languages of target markets, as well as with the recipes proposed in the prize competitions organised with the micro-influencers, the recipes created by chefs, bloggers, foodies, etc. and 2 new interactive games / year dedicated to the promoted products and in the languages of the four target markets.</p> <ul style="list-style-type: none"> <li>- Enhancement of information tools aimed at enabling the activation of a constant dialogue between users of the four target markets and the website.</li> <li>- Annual report on the activities carried out and the results achieved (total views and users reached).</li> </ul>		
<b>Indicative 3-year budget</b>	€ 100,400		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>Work Package N° 3</b>	<b>WEBSITE AND SOCIAL MEDIA</b>		
<b>Activity N° 3.2</b>	<b>Management of the official accounts - Facebook, Instagram &amp; YouTube, production of contents and community management</b>		
<b>Target groups</b>	<b>Opinion makers (journalists, food bloggers &amp; food writers, chefs, influencers, foodies, nutritionists etc), food sector professionals and consumers</b>		
<b>Brief description of the activity and required outputs</b>	<p>The activity includes:</p> <ul style="list-style-type: none"> <li>- The management of existing official accounts on Facebook and Instagram and the activation of an account on YouTube for each target market.</li> <li>- The planning, production and publication of contents according to an editorial plan defined on a monthly basis for each year and for each target market.</li> </ul> <p>For Facebook and Instagram, an average of 6 organic posts / month is expected, for a total of 72 posts / social / year / country.</p> <ul style="list-style-type: none"> <li>- "Community management" activities (content monitoring, sending replies, etc.).</li> </ul> <p>Furthermore, during each year of the programme, a "cooking session" (preparation of one or more recipes based on the promoted products by a chef) organised on YouTube.</p> <p>Finally, for each target market and on an annual basis, a report produced on the activities carried out and the results achieved (total views and users reached).</p>		
<b>Indicative 3-year budget</b>	€ 307,600		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>Work Package N° 4</b>	<b>ADVERTISING</b>		
<b>Activity N° 4.1</b>	<b>Press Advertising</b>		
<b>Target groups</b>	<b>Food sector professionals / HoReCa – Opinion makers</b>		

<b>Brief description of the activity and required outputs</b>	The activity comprises the publication of a colour page in the B2B magazines on the occasion of participation in the identified trade fairs Fruchthandel Magazin (Fruit Logistica, year 2 and 3), Star Bene (Cibus, year 2), Valencia Fruit (Fruit Attraction, year 1, 2 and 3).		
<b>Indicative 3-year budget</b>	€ 18,000		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>Work Package N° 4</b>	<b>ADVERTISING</b>		
<b>Activity N° 4.2</b>	<b>Social Media Advertising</b>		
<b>Target groups</b>	<b>Opinion makers (journalists, food bloggers &amp; food writers, chefs, influencers, foodies, nutritionists etc), food sector professionals (distributors and HoReCa) and consumers</b>		
<b>Brief description of the activity and required outputs</b>	The activity is aimed at supporting the publication of organic contents on the identified social media. In relation to Facebook and Instagram, a total of 24 ads / year / country will have to be planned and sponsored. For the second year of the Programme and for the Italian target market, the organization of an influencer marketing activity on Instagram in collaboration with Fruit Gourmet Magazine is envisaged. For YouTube 6 short ads (5 seconds) / year / country will be created, scheduled and sponsored in non-skippable pre-rolls. For Google, 4 PPC Ads / Country will be created and sponsored annually. At the end of each year of the programme, a report must be drawn up containing the results achieved in terms of number of ads published, number of impressions, views and number of users reached.		
<b>Indicative 3-year budget</b>	€ 190,000		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>Work Package N° 5</b>	<b>COMMUNICATION TOOLS AND MATERIALS</b>		
<b>Activity N° 5.1</b>	<b>Communication tools and materials</b>		
<b>Target groups</b>	<b>Opinion makers (journalists, food bloggers &amp; food writers, chefs, influencers, foodies, nutritionists, etc), food sector professionals in distribution and HoReCa and consumers</b>		
<b>Brief description of the activity and required outputs</b>	The activity includes the production of the following tools / materials: - 36 photographic images and related texts for new recipes to be used for the three versions of the desk calendar as well as for the website and social media. - 24 photographic images of crops and still-life.		

	<ul style="list-style-type: none"> <li>- 8,000 printed 12-page brochures, also in digital format, in four double language versions (English / target market language).</li> <li>- 8,000 desk calendars (2,000 for 2023, 3,000 for 2024, 3,000 for 2025), in English.</li> <li>- 8,000 shoppers with campaign visuals.</li> <li>- 1,500 media kits (folder, notebooks and greeting cards).</li> <li>- 8,000 gadgets to be diversified according to target groups.</li> <li>- Programmes (in English / target market language) - 200 copies / session - for the cooking sessions planned for the identified trade fairs.</li> <li>- 4 menus (100 copies/event) and 4 backdrops (1 / event) to be used at press events (dual English version / target market language).</li> <li>- 4 menus (20 copies/workshop) and 4 roll-ups (1 / workshop) for professional "food" workshops (double English version / target market language).</li> <li>- 3 workshops / cooking demos programmes / year for the Salone della dieta mediterranea (Italian / English).</li> <li>- 40 gift boxes for micro-influencer contest winners.</li> </ul>		
<b>Indicative 3-year budget</b>	€ 144,500		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>Work Package N° 6</b>	<b>EVENTS</b>		
<b>Activity N° 6.1</b>	<b>Participation in international trade fairs</b>		
<b>Target groups</b>	<b>Importers, representatives of distributors, retailers, HoReCa - opinion leaders</b>		
<b>Brief description of the activity and required outputs</b>	<p>This activity comprises the participation in the following trade fairs with a stand of at least 54 m2:</p> <ul style="list-style-type: none"> <li>- Year 1: Tutto Food (Italy) – Fruit Attraction (Spain)</li> <li>- Year 2: Fruit Logistica (Germany) – Cibus (Italy) – Fruit Attraction (Spain)</li> <li>- Year 3: Fruit Logistica (Germany) – Cinus or Tutto Food (Italy) – Fruit Attraction (Spain)</li> </ul> <p>Daily programmes of cooking sessions dedicated to the promoted products must be organised within each trade fair. During each trade fair edition, a photo / video shoot must be created.</p>		
<b>Indicative 3-year budget</b>	€ 592,000		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>Work Package N° 6</b>	<b>EVENTS</b>		
<b>Activity N° 6.2</b>	<b>B2B workshops with importers, distributors, retailers and B2B and B2C welcome workshops / cooking demo programme</b>		

<b>Target groups</b>	<b>Importers, representatives of distributors, retailers, HoReCa – Opinion leaders</b>		
<b>Brief description of the activity and required outputs</b>	<p>The activity includes the organization of 4 workshops (year 1 in Milan and Barcelona and year 2 in Munich and Marseilles) with the aim of presenting the campaign and raising awareness of the promoted products among importers, distributors and retailers of the four target markets.</p> <p>Each workshop is aimed at hosting at least 20 importers / distributors / retailers and shall be followed by a welcome buffet / tasting featuring recipes based on the promoted products.</p> <p>The successful tenderer will have to ensure the complete management of each workshop and all the related organisational aspects: selection of locations, site inspections, verification of the availability and functioning of the technical equipment, set-up, transport and distribution of promotional materials, welcome reception.</p> <p>For the Italian market and for each year of the Programme, participation in the Salone della dieta mediterranea is planned through the organization of a "Enjoy. It's from Europe!" welcome area intended to host a daily programme of workshops and cooking demos.</p>		
<b>Indicative 3-year budget</b>	€ 185,000		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>Work Package N° 6</b>	<b>EVENTS</b>		
<b>Activity N° 6.3</b>	<b>Educational tours</b>		
<b>Target groups</b>	<b>Importers, representatives of distributors, retailers, HoReCa – Opinion leaders</b>		
<b>Brief description of the activity and required outputs</b>	<p>The activity comprises the organisation of four study trips (in the second year of the Programme - one for each target market) lasting 6 days in the places where the promoted products are grown. The tour will host 5 large-scale importers / buyers / HoReCa representatives and opinion leaders / influencers. The programme must include visits to growers, B2B meetings, tasting session and workshops. In addition to the proposed itinerary and the application form, a specific match-making questionnaire must be prepared and distributed, aimed at identifying the specific interests of potential guests.</p>		
<b>Indicative 3-year budget</b>	€ 121,600		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>Work Package N° 7</b>	<b>OTHER ACTIVITIES</b>		
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<b>Activity N° 7.1</b>	<b>Communication strategy, graphic design and visual identity</b>		
<b>Target groups</b>	<b>Opinion leaders (journalists, food bloggers &amp; food writers, chefs, influencers, foodies, nutritionists, etc.), distribution and HoReCa professionals, consumers</b>		
<b>Brief description of the activity and required outputs</b>	Given that the creative concept and the key-visual already developed for the current campaigns will also be adopted for this campaign, this activity must include the integration of the current secondary messages with new messages deemed strategic for the four target markets as well as the declination of proposed communication materials.		
<b>Indicative 3-year budget</b>	€ 8,000		
<b>Detailed description of the activity</b>			
<b>Working group proposed</b>			
	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
<b>Detailed description of the products/ services (outputs) that will be provided</b>			

<b>SUMMARY TABLE</b>		
<b>FORESEEN OUTPUT AND RESULT INDICATORS FOR THE TARGET MARKET</b>		
<b>WP</b>	<b>Output indicators</b>	<b>Result indicators</b>
Work package 2	4 mailing lists with at least 4.000 useful contacts overall (1,000 / country / average) and updates 12 press kits 48 press releases 4 press events 4 live transmissions on FB, IG & YouTube 60 competitions/partnerships activated with micro-influencers	4,000 opinion leaders intercepted through press releases of which 600 reached by the invitation to press events 3,360 articles / posts published 60 micro-influencers reached 1,800 contents generated 320 opinion leaders participating in press events 5.040.000 consumers intercepted through the articles, published posts, contents generated and live sessions.
Work package 3	1 website and 4 extensions 6 video recipes 6 interactive games 4 SEO strategies updated 4 FB accounts and 4 IG accounts managed 4 YouTube accounts activated and managed 1,728 (144/year/country) contents, products and publications on FB and IG 12 YouTube cooking sessions	400,000 website views / users intercepted 2,592,000 views / impressions / interactions of published contents on social media
Work package 4	6 colour pages published in B2B food magazines 288 Ads published on FB / IG 1 IG influencer marketing activity (4 recipes / stories) 72 YouTube in-stream ads 48 Google Ads	60,000 food sector professionals intercepted by the pages published in the B2B magazines 3,200,000 impressions / users intercepted 120,000 YouTube views
Work package 5	36 photos and texts of recipes 24 photographic images of cultivations and still-life 8,000 brochures 8,000 desk calendars 8,000 shoppers / backpacks	Transversal activities relevant for the whole Action for which no result indicators are foreseen.

	1,500 media kits (folder, notepad & greeting card) 8,000 gadgets 8 cooking sessions programmies (200 copies / session) for the trade fairs 3 programmes for welcome workshops / cooking demos for the <i>Salone della dieta mediterranea</i> 4 menus for press events and 4 backdrops or roll-ups 4 menus and 4 roll-ups for workshops with food sector professionals 120 gift boxes	
Work package 6	8 personalised 54m2 stands 4 workshops with food sector professionals 9 welcome workshops / cooking demos 1 Educational Tour	Over 75,500 distribution / HoReCa professionals intercepted by the stands and promotional material (25% of total visitors estimated as 302,000) 160 food sector professionals intercepted by the invitation to the workshops 80 food sector professionals participating in the workshops 1,200 food sector professionals and 15,000 consumers intercepted through the welcome workshops / cooking demos 80 food sector professionals & opinion leaders reached by invitation for the educational tours 20 food sector professionals & opinion leaders participating in the tours
Work package 8	1 updated version/adaption of secondary messages 1 updated version/adaptation of the communication materials	Transversal activities relevant for the whole Action for which no result indicators are foreseen.

## 7 – Award criteria

The qualitative aspects of the service and the financial offer will be considered jointly. The tender will be awarded, in fact, in compliance with the principle of the best quality – price ratio, considering **jointly the qualitative aspects of the service and the price**. The total 100 points shall therefore be evaluated according to the following ratio:

QUALITY OF THE TECHNICAL OFFER: MAXIMUM 80 POINTS

PRICE OF THE FINANCIAL OFFER: MAXIMUM 20 POINTS

TOTAL POINTS TO BE ASSIGNED: MAXIMUM 100 POINTS

The Evaluation Committee will evaluate the **qualitative elements of the Technical Offer** on the basis of the evaluation elements indicated in the table below:

EVALUATION ELEMENTS	CRITERIA	MAXIMUM POINTS
<b>OVERALL STRATEGY</b> <b>MAX 8 POINTS</b>	Coherence of the communication strategy with the foreseen objectives of the Programme, the themes to be treated and the timetable and resources available for the implementation of the Programme.	8 as follows: 8 = excellent 6 = good 4 = sufficient 2 = insufficient

	Coherence between the overall strategy, the individual activities and the results to be achieved.	
PROPOSAL AND DECLINATION OF THE COMMUNICATION CONCEPT – TECHNICAL SOLUTIONS – QUALITY OF THE OUTPUTS MAX 24 POINTS	Originality and creativity of the new secondary messages proposed for the campaign and their declination	4 as follows: 4 = excellent 3 = good 2 = sufficient 1 = insufficient
	Effectiveness of the graphic adaptation of the key visual to the new secondary messages proposed to assure the achievement of the objectives set by the Programme	8 as follows: 8 = excellent 6 = good 4 = sufficient 2 = insufficient
	Declination of the concept and strategic key visual in the standard formats that will be used	8 as follows: 8 = excellent 6 = good 4 = sufficient 2 = insufficient
	Technical solutions adopted and quality of the proposed materials.	4 as follows: 4 = excellent 3 = good 2 = sufficient 1 = insufficient
METHODOLOGICAL APPROACH AND ARTICULATION OF THE ACTIVITIES MAX 48 POINTS	Completeness of the description of each activity and their coherence with the proposed strategy, the target groups and the result indicators	20 as follows: 20 = excellent 15 = good 10 = sufficient 5 = insufficient
	Quality of the Working Group proposed for each activity in terms of competence and quality of the professional profiles indicated in the technical offer. Experience in the management and organisation of similar information, communication and promotion services and activities to those in this procedure. Existing operational contacts in the two target markets.	16 as follows: 16 = excellent 12 = good 8 = sufficient 4 = insufficient
	Quality and completeness of the outputs that will be provided (description, quantification) and their coherence with the result indicators.	12 as follows: 12 = excellent 8 = good 6 = sufficient 2 = insufficient

The Evaluation Committee will continue with the evaluation of **the financial elements of the offer** on the basis of the evaluation criteria indicated in the table below:

EVALUATION ELEMENTS	CRITERIA	MAXIMUM POINTS
FINANCIAL OFFER AND FEE MAX 20 POINTS	Evaluation of the congruity of the cost proposed for each activity on the basis of the products/services proposed.	15 as follows 15 = excellent 10 = good 5 = sufficient 1 = insufficient
	Evaluation of the reasonableness of the fee for the Implementing Body	5 as follows: 5 = excellent 4 = good 3 = sufficient 1 = insufficient



## 8 – The Evaluation Committee and procedure for the award of the tender

An **ad-hoc Evaluation Committee** will be nominated **after** the deadline for the presentation of offers consisting of 5 members, including three internal members from the proposing organisations and two independent external members with proven experience in a) public tenders b) planning and coordination of promotion and internationalisation projects / marketing and communication strategies.

The **Committee** will meet at the headquarters of Terra Orti Società Cooperativa, coordinator of the consortium on **20 December 2023 at 09.00 am** in order to complete the selection procedure.

The opening of the envelopes (Envelope A) containing the administrative documentation of the participants in the Tender will take place at the office indicated above on **20 December 2022 at 9.00 am in a public session. This session may be attended**, in person or **remotely**, by the legal representative (or person delegated by the same in writing) of each of the participating economic operators, presenting a suitable valid identification document. The **link** through which to connect remotely will be sent to the operators who request it. **The request must be sent to the e-mail address: [progetti@terraorti.it](mailto:progetti@terraorti.it) indicating in the subject line "Request link for public selection session OE EU FRESH CHOICE IM2/ "Richiesta link per sessione pubblica selezione OE EU FRESH CHOICE IM2". Requests must be sent after the deadline set for the delivery of the envelopes (i.e. after 12.00 on 16 December 2022, but no later than 13.00 on 19 December 2022).** In order to participate remotely in the public session, a copy of the scanned identity document of the economic operator's legal representative must be made available or, in the case of a delegated person, a copy of the proxy signed by the legal representative and accompanied by a copy of the identity document of the same.

After the opening of the Envelopes A and the eligibility of the participants in the Tender has been defined, the Commission will proceed, **in private session**, with the evaluation of the technical offers (Envelope B) and the financial offers (Envelope C).

If there is only one valid offer, the Client has the right to decide whether to proceed with awarding the tender. In the event of a tie in the points attained, the contract shall be awarded to the competitor that has achieved the greatest number of points in the technical offer. In the event of a tie in points in both the financial offer and the technical offer, the award shall be made on the basis of a random draw.

On completion of the above procedure, the Committee will draw up the ranking list and proceed with the award. The award will be immediately binding for the bidder that is awarded the contract, while the Client will be legally committed only when, in accordance with legislation, all the consequent and necessary acts for the conclusion of the tender take legal effect.

All participants will be promptly notified of the outcome of the Selection Tender by PEC or, in the case of non-Italian operators, by e-mail. More specifically, the name and address of the successful economic operator will be communicated, with an indication of the overall vote received, and the evaluation form of the recipient of the communication will be sent.

The results will also be published on the Terra Orti website - [www.terraorti.it](http://www.terraorti.it), as well as on the TED portal - the online version of the supplement to the Official Journal of the European Union dedicated to public procurement - within 7 working days from the date of conclusion of the procedure selection.

## 9 – Obligations of the contractor

The contractor has the following obligations:

- to carry out the service that is the subject of the tender in agreement and collaboration with the Project Leader nominated by the Client;
- the full and unconditional acceptance of the content of these technical specifications;
- the respect of all the information contained in these technical specifications even if not expressly mentioned in this article, in the Contract for the implementation of the programme which will be signed by the proposing organisation and the member State, in all laws and regulations in force at European and national level as well as those eventually issued during the contractual period.

## 10 – Modifications to the contract – qualitative and quantitative variations in the services – unilateral termination of the contract

Should unexpected and specific needs arise, the Client reserves the right to make quantitative variations to the contract of greater or lesser amounts within a fifth of the value of the contract and in respect of the contractual obligations. Furthermore, the Client also reserves the right to terminate the contract or part of it for reasons not imputable to the contractor, recognising the contractor an indemnity in accordance with law for the part of the contract not carried out. Should extraordinary actions not contemplated in these technical specifications be requested, the relative conditions shall be agreed between the Client and the Contractor on a case-by-case basis.

## **11 – Relations between the contractor and the Client**

The contractor must nominate a technical contact person and an administrative contact person responsible for the service who will have the obligation to collaborate closely with the Project Leader nominated by the Client in order to manage the technical/administrative/financial monitoring of the Programme.

## **12 – Breaches**

The Client has the right to dispute any services rendered that do not fully or partially comply with the requirements of the specifications or the offer proposed in the tender. In the event of a dispute, the Client may request the Contractor to replace personnel/collaborators not considered adequate for the performance of the services. In the event of delay or refusal, as well as in any other case of non-compliance with the contractual obligations assumed by the Assignee, the Client will contest the non-fulfilments in writing to the Contractor.

## **13 – Termination of the contract**

The termination of the contract for repudiatory breach shall be declared in the following cases:

- the lack of fulfilment of contractual or legal obligations concerning salaries and fees of its personnel and associates;
- manifest failure to comply with the obligations established in the contract;
- non-respect of the project activities presented and eventual integrative indications concerning the quality of the service.

## **14 – Unilateral termination of the contract**

The Client has the right to check and verify the good execution of the service with the help of appointees chosen at its discretion. In the event of termination of the contract, the Contractor is in any case committed to continuing the assignment, under the same conditions, for a maximum of three months.

## **15 - Contract expenses**

50% of the expenses for stamps, stipulation, registration and all other additional costs concerning the contract shall be borne by the contractor and the remaining 50% by the Client.

## **16 – Disputes**

The competent court for any disputes that may arise during the provision of the service that are not definable by the contracting parties is Salerno, Italy.

## **17 - Ownership and use rights**

The ownership and/or use rights and financial exploitation of the products prepared or produced by the contractor or its employees or associates in the framework or execution of this service will remain the exclusive property of the Client that can, without any restriction, use them for publication, dissemination, use or duplication of the stated design, literary or material works. These rights, pursuant to L. n. 633/1941 “Protection of Copyright and Neighbouring Rights” as modified and integrated by L. n. 248/2000, must be considered ceded, purchased, bought and licenced in perpetuity, without limits, and irrevocably. The contractor undertakes to consign all the products in an open and modifiable format and expressly binds itself to supply the Client with all the documentation and materials necessary for the effective exploitation of exclusive titular rights as well as sign all necessary documents for the eventual registration of such rights to the Client in any registers or public lists. Furthermore, the contractor undertakes to respect the law in force concerning the treatment of databases.

## **18 – Treatment of personal data of third parties and confidentiality**

The Contractor, during the execution of the contract, undertakes to comply with all the provisions contained in the national and European legislation, including the provisions of Legislative Decree 196/2003 and those provided for by Reg. (EU) 679/2016 of the European Parliament and of the Council of 27 April 2016 (so-called GDPR) and to guarantee that the personal information, assets, statistics, personal data and / or any other kind of

information of which it will become aware due to the services entrusted, will be treated with adequate methods and according to transparent procedures. The Contractor, during and after the execution of the contract, undertakes not to make direct or indirect use of the information he has become aware due to the services entrusted to obtain advantages or other benefits for himself or for third parties. In particular, the Contractor must undertake to maintain the utmost confidentiality of all information, data and circumstances concerning the Client, even after the conclusion of the service.

## **19 – Information on the processing of personal data**

In compliance with the provisions of Legislative Decree 196/2003 and those provided for by Reg. (EU) 679/2016 of the European Parliament and of the Council of 27 April 2016 (so-called GDPR), the Client will use the data collected contained in the offers for the sole purpose to proceed with the selection of the implementing body. The data collected may be used for the fulfilment of legal obligations, including the inspections foreseen by Reg. (EU) 1144/2014 and by the Directorial Decree of 17 October 2022 n. 0526288 – Department of competitive policies for agri-food quality, fisheries and horse-racing – DG promotion of agri-food quality and horse-racing, which defines the criteria that non-contracting authorities must respect in the selection of implementing bodies for simple programmes in relation to the AGRIP-SIMPLE-2022 call.

The rights of the interested party are set out in Article 13 of the Legislative Decree 196/2003 and can be exercised pursuant to and for the purpose of the GDPR (see Articles 15 and 22).

The Client declares that with regard to the procedure established for the selection procedure:

- The purposes of the data processing concern the verification of the competitors' ability to participate and win the tender in question.
- The data provided will be collected, recorded, organised and stored for the time strictly necessary and for the purposes of managing the tender; will be processed both on paper and by computer technology, even after the possible establishment of the contractual relationship for the purposes of the relationship itself.
- Failure to provide mandatory data required will result in exclusion from this tender.
- The data may be disclosed to: 1. Client's personnel; 2. Members of the evaluation committee; 3. Verification commission identified by MIPAAF; 4. Competitors participating in the tender; 5. All other subjects identified as deserving or interested in accordance with Italian legislation and in particular with the Law on administrative procedure N° 241/90.
- The active subject of data collection is the Client, and the data controller is its legal representative.
- The interested party can exercise the rights provided for by Legislative Decree 196/2003 and by the GDPR articles 15 and 22.

Data controller: Maria Iacobone.

Exercise of rights: for any further information regarding the processing of personal data, you can write to [info@terraorti.it](mailto:info@terraorti.it)

## **20 – Conflict of interest**

Pursuant to and for the purposes of the Departmental Degree of MIPAAF - Department of competitive policies for agri-food quality, fisheries and horse-racing – DG promotion of agri-food quality and horse-racing – N° 0029174 of 30 June 2020; of the by the Directorial Decree of 17 October 2022 n. 0526288 – Department of competitive policies for agri-food quality, fisheries and horse-racing – DG promotion of agri-food quality and horse-racing, which defines the criteria that non-contracting authorities must respect in the selection of implementing bodies for simple programmes in relation to the AGRIP-SIMPLE-2022 call; of Reg. (EU) 1144/2014, of Reg. (EU) 1829/2015 – delegate; of the EU Reg. 1831 / 20115 – of execution; of the note European Commission DDG1 B5 / MJ / DBD (2016) 321077 dated 7 July 2016 - Guidelines on tender procedures; of the Communication of the European Commission (2006 / C/179/02) paragraph 2.1.2; the Client, in carrying out this selection procedure, adopts all suitable measures to effectively prevent, identify and remedy conflicts of interest that are capable of distorting competition and guaranteeing equal treatment of economic operators.

## **21 – Single person in charge of the procedure**

The sole person in charge of the procedure is Emilio Ferrara.

