

Italy-Benevento: Experimental development services
OJ S 124/2021 30/06/2021
Contract notice
Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Azienda Sanitaria Locale Benevento
National registration number: IT01009680628
Postal address: Via Oderisio 1
Town: Benevento
NUTS code: ITF32 Benevento
Postal code: 82100
Country: Italy
Contact person: Roberto De Toma
E-mail: area.provveditorato@aslbenevento1.it
Telephone: +39 824308468
Internet address(es):
Main address: www.aslbenevento1.it
Address of the buyer profile: <https://ecare-pcp.eu/>

I.1. Name and addresses

Official name: Consorci Sanitari Integral (CSI)
National registration number: ESQ5856254G
Postal address: AV. Josep Molins 29-41
Town: L'hospitalet de Llobregat
NUTS code: ES511 Barcelona
Postal code: 08906
Country: Spain
Contact person: Javier Grueso Mula
E-mail: Javier.grueso@csi.cat
Telephone: +34 607644757
Internet address(es):
Main address: <https://www.csi.cat>
Address of the buyer profile: <https://ecare-pcp.eu/>

I.1. Name and addresses

Official name: Ayuntamiento de Santander (Ayto Santander)
National registration number: ESP3907500G
Postal address: Plaza Del Ayuntamiento 1
Town: Santander
NUTS code: ES130 Cantabria
Postal code: 39001
Country: Spain
Contact person: Innovation area

E-mail: innovacion@ayto-santander.es

Telephone: +34 942200600

Internet address(es):

Main address: www.santander.es

Address of the buyer profile: <https://ecare-pcp.eu/>

I.1. Name and addresses

Official name: Universitätsklinikum Aachen AöR

National registration number: DE813100566

Postal address: auwelsstraße 30

Town: Aachen

NUTS code: DEA2D Städteregion Aachen

Postal code: 52057

Country: Germany

Contact person: Anke Junker

E-mail: avergabestelle@ukaachen.de

Telephone: +49 2418080975

Internet address(es):

Main address: www.ukaachen.de

Address of the buyer profile: <https://ecare-pcp.eu/>

I.2. Information about joint procurement

The contract involves joint procurement

In the case of joint procurement involving different countries, state applicable national procurement law:

Italian law.

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://ecare-pcp.eu/tender.html>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://ecare.app.jaggaer.com/web/login.html>

Tenders or requests to participate must be submitted to the abovementioned address

I.4. Type of the contracting authority

Regional or local agency/office

I.5. Main activity

Health

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Pre-commercial Procurement (PCP) to Buy R&D (Research and Development) Services to Developing Digital Solutions Supporting Continuum of Care for Frailty Prevention in Old Adults — eCare

Reference number: 856960

II.1.2.

Main CPV code

73120000 Experimental development services - RC03

II.1.3. Type of contract

Services

II.1.4. Short description

This contract notice invites interested operators to submit tenders to a procurement. The procurement aims to deliver disruptive digital solutions for the prevention and comprehensive management of frailty to encourage independent living, wellbeing and to relieve health and care services budget pressure, throughout the implementation of a pre-commercial procurement scheme. Solutions should improve outcomes for frailty in old adults entailing the physical and the psycho-social factors. The target group are the pre-frail/frail old adults with emphasis on those that feel lonely and/or isolated. The procurers will procure the development, testing and implementation of digital tools/services and communication concepts to facilitate the transition to integrated care models across health and social services and country-specific cross-institutional set-ups.

II.1.5. Estimated total value

Value excluding VAT: 3 213 114,51 EUR

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description**II.2.2. Additional CPV code(s)**

32441300 Telematics system - RC03, 33195000 Patient-monitoring system, 48814400 Clinical information system, 72212180 Medical software development services

II.2.3. Place of performance

NUTS code: DEA2D Städteregion Aachen

NUTS code: ES130 Cantabria

NUTS code: ES511 Barcelona

NUTS code: ITF32 Benevento

Main site or place of performance: Main site or place of performance: at least 50 % of the contracted R&D services on the EU member states or H2020 associated countries.

II.2.4. Description of the procurement

The procurement will take the form of a pre-commercial procurement (PCP) under which R&D service contracts will be awarded to a number of R&D providers in parallel in a phased approach. Each selected operator will be awarded a framework agreement that covers 3 R&D phases (described below). After each phase, intermediate evaluations will be carried out to progressively select the best of the competing solutions. The contractors with the best-value-for-money solutions will be offered a specific contract for the next phase.

- Phase A: Solution design:

This phase is a feasibility study of the selected technologies and proposals, which aims to verify the technical, economic and organisational feasibility of each company's offer. The expected output from participating companies is a report describing the results of the feasibility study.

The total budget for the R&D contracts in this phase is EUR 321 311 475 (excluding VAT) and the maximum budget per R&D contract is EUR 40 169 934 (excluding VAT). Should there is any leftover from this phase it will be transferred to the next one. From this sum at least 8 contracts will be awarded. This phase will last for 5.5 months.

- Phase B: Prototype development:

The purpose of this phase is to develop the most promising ideas, shown in Phase A, into well-defined prototypes. The selection process for Phase B is based on the Phase A report and an application process, which will outline the company's plans for Phase B.

Selected companies will each develop a prototype based on the results of their feasibility study. The aim is to verify to what extent the prototype's main features meet the functional and performance requirements set in the challenge. Participating companies are expected to deliver a prototype specification and lab demonstration, as well as a plan for original development of a limited volume of first solutions and field-testing, and an updated cost/benefits evaluation including a preliminary business plan.

It is expected that the combined budget for this phase will be EUR 1 606 577 377 (excluding VAT) and the maximum budget per R&D contract will be EUR 401 639 344 (excluding VAT). Should there is any leftover from this phase it will be transferred to the next one. At least 4 projects will be selected for Phase B. This phase will last 10 months.

- Phase C. Pre-commercial development; field test:

This phase aims to verify and compare the full feature set and performance of different solutions in real-life operational conditions of the targeted public service. Expected output from participating companies includes field testing, field test specification, specification of the final solution, other related technical documentation and an updated cost/benefit evaluation.

It is expected that the combined budget for this phase will be EUR 1 285 245 804 (excluding VAT) and the maximum budget per R&D contract will be EUR 642 622 950 (excluding VAT). 2 projects will be selected for this phase. This phase will last 12 months.

All the solutions in Phase C will be tested in all the sites to ensure that a comparison can be made of performance both across sites and across solutions. Each procurer will identify a sample population to implement the proof of concept of the final awarded contracts. Testing is expected to take place in:

- province of Benevento;
- area of Barcelona and Baix Llobregat;
- city of Santander;
- Area of Aachen.

The phases of the procurement is expected to start on 17 November 2021 and end on 30 June 2024. The PCP challenge, requirements, conditions and awarded criteria will be established in the tender documents. They will be available from 1st July at <https://ecare-pcp.eu/>.

The selected operators will retain ownership of the intellectual property rights (IPRs) that they generate during the PCP and will be able to use them to exploit the full market potential of the developed solutions. The framework agreement will detail the terms of the (IPRs).

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

Value excluding VAT: 3 213 114,51 EUR

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Start: 18/11/2021 End: 30/06/2024

This contract is subject to renewal: no

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
yes

Identification of the project: This procurement receives funding from the European Union's Horizon 2020 Research and Innovation Programme, under grant agreement No 856960 — eCARE. See <https://ecare-pcp.eu/>. The EU has given a grant for this procurement, but is not participating as a contracting authority in the procurement.

II.2.14. Additional information

This procurement is exempted from the WTO Government Procurement Agreement, the EU public procurement directives. Publication of this contract notice in the EU Official Journal is made on a voluntary basis and the procurement will not follow the procedures under the EU public procurement directives, but rather the procedure described in the tender documentation.

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

In accordance with the Article 58 paragraph 2 Directive 2014/24/EU, as regards to the suitability to pursue the professional activity, the economic operators must be enrolled in one of the professional or trade registers kept in their Member State of establishment, as described in Annex XI of the Directive 2014/24/EU, or to comply with any other request set out in that Annex.

More information is stated in the procurement documents.

III.1.2. Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3. Technical and professional ability

Selection criteria as stated in the procurement documents

III.2. Conditions related to the contract

III.2.3. Information about staff responsible for the performance of the contract

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open procedure

IV.1.3. Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement
Framework agreement with several operators Envisaged maximum number of participants to the framework agreement: 8

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2020/S 150-367803](#)

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 15/09/2021 Local time: 12:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 6 (from the date stated for receipt of tender)

IV.2.7. Conditions for opening of tenders

Date: 16/09/2021 Local time: 12:00

Place:

Expected date to convene opening committee to proceed with the administrative opening of offers is 16 September 2021 at 11 a.m. (CET). The location will be the ASL Benevento registered office, 82100 Benevento, Italy at 12 a.m. local time.

Information about authorised persons and opening procedure: The opening committee will open the tenders which have been submitted. Bidders are welcome to attend the opening of the tenders. A video webinar session may be provided and interested tenders may be provided with login data.

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

Participation in the open market consultation that was held as part of the preparation for this procurement is not a prerequisite for submitting a tender.

This procurement is exempted from the WTO Government Procurement Agreement (GPA), the EU public procurement directives and the national laws that implement them. This is because it concerns the procurement of R&D services where the benefits do not accrue exclusively to the contracting authority for its use in the conduct of its own affairs.

Publication of this contract notice in the EU Official Journal is not to be understood as a waiver of this exemption. Publication is made on a voluntary basis and the procurement will not follow the procedures under the EU public procurement directives, but rather the procedure described in the tender documentation.

The open procedure was chosen in Section IV.1.1) 'Procedure' for formal reasons only. This is because it is not possible to publish a contract notice without selecting one of the listed procedures.

Offers may be submitted in English. All communication (before, during and after the procurement) can be made in English.

More information:

See:

The project website <https://ecare-pcp.eu/tender.html>

The open market consultation Q&A <https://ecare-pcp.eu/faqs/>

PCPs on the Europa website (see <https://ec.europa.eu/digital-single-market/innovation-procurement>)

Or contact:

— hello@ecare-pcp.eu

VI.4. Procedures for review

VI.4.1. Review body

Official name: Benevento Administrative Court (Tribunale amministrativo di Benevento)

Postal address: Via Raffaele de Caro, 7

Town: Benevento

Postal code: 82100

Country: Italy

E-mail: tribunale.benevento@giustizia.it

Telephone: +39 8241955111

Fax: +39 8241955111

Internet address: <http://www.tribunale.benevento.it/>

VI.4.2. Body responsible for mediation procedures

Official name: Mediation Body Order of Lawyers of Benevento

Postal address: Via Raffaele de Caro, 7

Town: Benevento

Postal code: 82100

Country: Italy

E-mail: info@mediazioneordineavvocatibn.it

Telephone: +39 8241921806

Internet address: <https://www.mediazioneordineavvocatibn.it/>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

The procurement is exempted from the EU public procurement directives (including the EU procurement remedies directives 89/665/EEC and 92/13/EEC — see above) and the national laws that implement them.

Publication of this notice in the Official Journal is not to be understood as a waiver of this exemption by the contracting authority.

The deadlines for the review procedures at the bodies for review and mediation, mentioned in IV.4.1) and IV.4.2) are: 30 days from the publication of the contract award notice.

The lead procurer will incorporate a voluntary standstill period of five (5) calendar days from the date following electronic notification to unsuccessful tenderers of an award decision.

Any legal claim, petition or application for judicial review, with regard to the eCare PCP procedure, whether before civil law courts or administrative courts, shall be made before the Italian jurisdiction. By submitting a Bid, the Bidder accepts the exclusive jurisdiction of Italian courts.

Decisions taken with regard to the selection of bidders, awarding them with Phases 1, 2 or 3 or excluding them from the eCare PCP procedure should be challenged by means of an administrative remedy before the Benevento administrative Court (Tribunal Administrative de Benevento, ViaRaffaele de Caro, 7, 82100 Benevento BN, Italy).

Any dispute or claim arising out of or in connection with the execution of the Phases contracts entered into between the buyers Group and the Contractor, shall be heard by Benevento administrative Court.

Any dispute between the parties arising out of or in connection with the phases contracts shall in the first instance be referred to the contractor's representative and the lead procurer's representative for resolution. The parties agree to work together in good faith to reach an agreed settlement of any such dispute. If within fourteen (14) days of being referred to both the above representatives, the dispute has not been resolved, the Parties agree to submit the dispute to senior executive of the contractor and the appropriate representative of the lead procurer as the lead procure sees fit and who shall have responsibility to settle such dispute on behalf of the lead procurer. The parties shall meet within seven (7) days of the referral to them of any dispute and shall work together in good faith to resolve the dispute. If within fourteen (14) days, the dispute has not been resolved, the dispute may be referred, subject to mutual agreement, to mediation by a mediator to be agreed between the parties. The fee for the appointed mediator shall be shared equally between the parties. A note in this section shall preclude either party from commencing an action for a legal remedy where time is of the essence and the remedy sought is only available in a court of law. In all other circumstances the Parties shall attempt to resolve a dispute in accordance with clauses the procedure set in this section.

The Benevento administrative Court will have exclusive jurisdiction to deal with any dispute which has arisen or may arise out of or in connection with the framework agreement.

VI.4.4. Service from which information about the review procedure may be obtained

Official name: ASL Benevento — UOC Provveditorato (Procurement Department)

Postal address: via Oderisio 1

Town: Benevento

Postal code: 82100

Country: Italy

E-mail: area.proveditorato@aslbenevento1.it

Telephone: +39 824308468

Internet address: <http://www.aslbenevento1.it>

VI.5. Date of dispatch of this notice

25/06/2021