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**EXPLORATORY MARKET RESEARCH
AIMED AT IDENTIFYING APPLICANTS TO BE INVITED TO TENDER WITHIN
THE FRAMEWORK OF A NEGOTIATED PROCEDURE**

(art. 125, sub-pars. 10 and 11 of Law Decree no. 163/2006 as amended and supplemented)

*IN ORDER TO SELECT THE ECONOMIC OPERATOR TO BE ENTRUSTED WITH THE TASK OF LAYING OUT
GUIDELINES FOR DRAWING UP A STRATEGIC PLAN ON THE ENHANCEMENT OF AREAS LOCATED WITHIN
THE OLD PORT OF TRIESTE.*

FAQs

Question no. 1

In the event that the application is submitted by a Temporary Group of Companies currently being formed, to what extent are the special economic and financial requirements and technical and organisational requirements to be complied with by the group leader and the representatives, respectively?

Answer to question no. 1

There are no specific provisions on the extent to which the special economic and financial requirements and technical and organisational requirements are to be complied with by the group leader and the representatives, respectively. In any case, pursuant to art. 37 of Legislative Decree no. 163/2006 as amended and supplemented and to art. 275, sub-par. 2, of Presidential Decree no. 207/2010, in case of Groups of Companies currently being formed, the share of activity of each company should be specified. Furthermore, in any case, the group leader should comply with the requirements and provide the majority of services.

Question no. 2

Is compliance with the economic and financial standing requirement and with the technical and professional ability requirement to be proved on the basis of

five approved financial years (i.e. from 2010 to 2014) or the five-year period may include a portion of the financial year 2015 (i.e. from 11/2010 to 11/2015)?

Answer to question no. 2

For the purposes of proving compliance with the economic and financial standard requirement and with the technical and professional ability requirement, the last five approved financial years should be taken into account (from 2010 to 2014).

Question no. 3

If the applicant is a Temporary Group of Companies (TGC), should the special economic and financial requirements and the technical and organisational requirements, in particular those mentioned under letters b, c d and f, be complied with by the Group as a whole or by each member of the Group? Is it sufficient if the said requirements are only complied with by the group leader?

Answer to question no. 3

In case of Temporary Groups of Companies, the said requirements should be complied with by the Group as a whole. However, it is understood that the group leader should comply with the requirements and provide the majority of services (please see answer to question no. 1).

Question no. 4

May the Temporary Group include companies that do not have a VAT ID number?

Answer to question no. 4

The Temporary Group of Companies currently being formed may include the companies stated under art. 34 sub-par. 1 and those stated under art. 90, comma 1, letters e) to h), of Legislative Decree no. 163/2006 as amended and supplemented to which express reference is made.

Question no. 5

A “human resources work plan” is to be submitted pursuant to item 4e of the invitation to tender. Please clarify the meaning of this document.

Answer to question no. 5

No documents should be submitted at this stage. This also applies to the human resources work plan under item 4 (Inclusion criteria) of the integral version of the notice. A self-certification stating that the relevant requirements are complied with is sufficient. The work plan and CVs shall be submitted together with the offer or upon specific request made by the Municipality of Trieste when checking the self-

certifications submitted by applicants.

The human resources work plan is the organisation chart of the resources made available by the applicant. This document should prove the ability to perform the task to be entrusted taking into account current workloads.

Question no. 6

With reference to item 4b of the notice and to the “Global turnover of the last five years”, please specify:

- The financial years to be taken into account;
- Whether the global prospective turnover for the financial year 2015 may be taken into account;
- Whether, otherwise, the turnover at 30 September 2015 may be taken into account; or
- Whether, alternatively, the turnover of the first half of the financial year 2015, as certified by the auditing firm, may be taken into account;
- Whether “Global turnover of the last five years” means the services provided/works executed “on an accrual basis” (income based on progress of work), irrespective of the invoicing system.

Answer to question no. 6

The figures to be taken in account in order to prove compliance with the requirement under item 4b of the notice are those resulting from closed financial years (the last one is, therefore, the financial year 2014).

“Global turnover of the last five years” means the share of executed activities for which supporting invoices can be provided.

Question no. 7

Does the global turnover of the last five years for activities associated with the provision of strategic, operational and financial advice services in the field of territorial and urban development at the national and international levels as well as with the implementation of complex property enhancement projects for an overall amount not lower than 1,000,000.00 (EUR one million/00) refer to closed financial years (hence, the last one would be the financial year 2014) or does it also include invoices issued for orders executed in 2015?

Answer to question no. 7

Please see answer to question no. 6.

Question no. 8

May the term "*implementation of complex property enhancement projects*" also refer to the creation of an industrial plan for a real estate portfolio?

Answer to question no. 8

We confirm that the term "*implementation of complex property enhancement projects*" may also refer to the creation of an industrial plan for a real estate portfolio.

Question no. 9

Is it correct to fill in the "*Self-certification form accompanying application*" and to enclose a document containing the CVs of the persons and companies involved according to the structure (horizontal/vertical or mixed) and the relevant organisation chart (*human resources work plan*)?

Since no instructions are given with reference to the requirements for the submission of CVs and organisation charts, is there a limit to the maximum number of pages or any other specific requirement or are there further information/guidelines on how the documents belonging to this section are to be submitted?

Answer to question no. 9

Please see answer to question no. 5.

Question no. 10

Can you briefly clarify the difference between "*group leader*" and "*representative*"?

Answer to question no. 10

In short, the *group leader* is the entity that complies with most of the requirements and plays the role of lead company for the group pursuant to an irrevocable representation power conferred upon it by the other members of the group, whereas the other members play the role of *representatives*.

In this regard, please see art. 37 of Legislative Decree no. 163 of 12.4.2006 concerning Temporary Groups of Companies.

Question no. 11

With reference to the exploratory market research, is the choice of the type of temporary group (vertical, horizontal or mixed) to be made in annex I (self-certification form accompanying application) binding for the next stage of the procedure when submitting the technical and economic offer?

Answer to question no. 11

The type of group may be changed until the time of submission of the offer, provided that the Group as a whole still complies with the requirements and the group leader still complies with the majority of them.

Question no. 12

May a project whose contract was entered into in 2014 and whose work was submitted to the client in December 2014, but whose invoices were issued in 2015 be included in the financial year 2014?

Answer to question no. 12

The answer is different, depending on the requirements to which the question refers.

With reference to the requirements stated under b) and c), please see the answer to question no. 6, where it is specified that "Global turnover of the last five years" means the share of executed activities for which supporting invoices can be provided.

Conversely, with reference to the requirements under d), a project completed in 2014 may be included, even though it was not invoiced in the same year.

Question no. 13

With reference to FAQ no. 8, may the term "*implementation of complex property enhancement projects*" also refer to assessment/enhancement analyses (such as those based on HBU-Highest and Best Use scenarios) carried out through business plans or financial approaches aimed at enhancing individual assets or a real estate portfolio?

Answer to question no. 13

We confirm that the term "*implementation of complex property enhancement projects*" may also refer to assessment/enhancement analyses carried out through business plans or financial approaches aimed at enhancing individual assets or a real estate portfolio.

Question no. 14

The choice between vertical or mixed Temporary Group of Companies requires the hiving off of activities. It is correct to regard the requirement under a) of the notice (global turnover) as the main activity and the requirements under b), c), d) and e) as secondary activities?

Answer to question no. 14

The type of group to be set up should be chosen on the basis of the activities stated under the contract, not on the basis of the requirements to be complied with.

Question no. 15

With reference to a project whose contract was entered into in 2014 and whose work was submitted to the client in December 2014, but whose invoices were issued in 2015, may the requirement under b) be regarded as complied with?

Answer to question no. 15

Please see answer to question no. 12. It is further specified that the requirement under b) on page 3 of the notice is meant to refer to global turnover "accrued" in the last five years. Therefore, if you can provide unquestionable documentary evidence that those invoices refer to activities completed on or before 31.12.2014, the requirement can be definitely regarded as complied with.