

CALL FOR TENDER

SUMMARY INFORMATION

Call for tender no	WS1979185931
Subject	Software Value Added Reseller Framework Agreement
Description of the supply	Resale of licenses, maintenance and services of various software COTS according to the requirements coming from all the Leonardo and subsidiaries Italian plants.
Type of supply	Services and supplies
Duration of contract	24 months plus potential 12 months
Presumed baseline	10 M€ (multi-year value of the supply – not binding) for the duration of the contract
General awarding criteria	Best economical condition
Date of publication	17 June 2024
Deadline	08 July 2024 time 10:00

DETAILED INFORMATION

1. General information

Leonardo Global Solutions S.p.A. - a single member company, subject to the direction and coordination of Leonardo - *Società per azioni* - (incorporated in Italy as a joint stock company) - (hereinafter "LGS") intends to issue a call for tender having as its subject: the definition of Framework Agreements for the resale of SW COTS and licenses, maintenance and services of various software brands (i.e. Vmware/Broadcom, Rapid7, Red Hat, QT, Adobe, Infovista, Nvidia, Tenable, Suse, Veeam, VI-Grade, Microsemi/Microchip, Synopsys, Atlassian, Sophos, Solarwinds, Jetbrains, Think-cell, Intel, Altova, McAfee) according to the requirements coming from all the Italian Leonardo plants.

The Contract includes: Resale of licenses, maintenance and services of various Commercial off the shelf software (COTS) according to the requirements coming from all the Italian Leonardo plants.

LGS reserves the right to define and assign one or more lots according to specific needs.

The presumed baseline in scope amounts to 10 M EuroS

2. Entities admitted to tender

The following are admitted to participate in the tender procedure for services and supplies:

- a) sole proprietor enterprises (including craft businesses), trading companies, cooperatives;
- b) Consortia of production and work cooperative companies incorporated under Law no. 422 of 25 June 1909 and Legislative Decree. C.P.S. no. 1577 of 14 December 1947, and subsequent amendments and additions, as well as consortia of craft businesses incorporated under Law no. 443 of 8 August 1985;
- c) Permanent consortia, including consortium companies, incorporated pursuant to Article 2615-ter of the Italian Civil Code, consisting of sole proprietor enterprises (including craft businesses), trading companies, production or workers cooperative companies;
- d) Competing consortia incorporated under Article 2602 of the Italian Civil Code, whose members include the entities referred to in sub-paragraphs a), b) and c) of this paragraph, even in the form of a limited liability consortium, in accordance with article 2615 of the Italian Civil Code.

The participation in this tender by more than one temporary grouping of companies, consortium or EEIG, or the submission of bids as both an individual entity and as a member of a grouping, consortium or EEIG, is forbidden.

Bidding suppliers for whom more than 70% of total annual turnover is generated by orders from one or more companies belonging to the Leonardo Group, are not allowed to bid, except in case of express authorization from LGS in consideration of special technical requirements. For consortia, this percentage shall be calculated according to the annual turnover of the consortium itself.

Each consortium in points b), c) and d) above shall indicate, in its expression of interest, the individual consortium members in the name of which the bid is submitted, and for each of them, the type of services / supplies that will be performed. The composition of the consortium indicated in the disclosure for interest is unchangeable without the prior written consent of LGS.

Pursuant to the above, it is forbidden for an individual consortium member to submit a bid in any other form to this tender procedure. In the event that this rule is broken, both the consortium and the individual consortium member will be excluded from the tender.

The contemporary participation in this tender procedure by a parent company and its subsidiaries is also forbidden. In the event that this rule is broken, both the parent company and its subsidiaries will be excluded from the tender.

All bidders whom LGS does deem not to have appropriate professional reliability will in all cases be **excluded** from the tender without explanation. Bidders will be deemed not have appropriate professional reliability who in the last three years incurred, by way of example but not limited to, in the following:

- Termination for breach of contract with LGS, Leonardo SpA or other companies of the Leonardo Group;
- Declared non-testability of services and supplies according to the contracts concluded by the LGS, Leonardo SpA or other companies of the Leonardo Group;
- Breach of any of the provisions of the Code of Ethics of LGS, Leonardo SpA and Leonardo Group, during the performance of previous contracts;

- Failure to take delivery, by default or cause, for supplies or services entrusted by LGS, Leonardo SpA or other companies of the Leonardo Group;
- Revocation of the award of a tender.

3. Minimum requirements for participation

Entities meeting the following minimum requirements for participation (hereinafter "Minimum Requirements") may be invited to tender:

- Annual turnover of at least € 15.000.000 in the last three years in Italy (2021; 2022; 2023);
- Billing preferably in EUR;
- Managing purchases with other currencies
- Periodic Reporting System;
- Ticketing System for requisitions management;
- Nice to have: E-Catalogue;
- Language: Italian and English mandatory; others nice to have.

It is noted that participation in the tender is not permitted by pooling funds.

4. Disclosure for interest

By no later than the expiration date of this call for tenders, parties interested in being invited to tender, provided they meet the requirements, are required to:

- Submit their application by registering in the LGS Procurement Portal (link: <https://supplier-registration.leonardocompany.com>) and proceed, after obtaining their credentials, with the provision of the requested data. Suppliers who are already registered on the Supplier Portal and have their access credentials, are requested to confirm and update any data and information previously entered in the system.
- Communicate their Disclosure of interest by accessing the reserved area of the LGS Procurement Portal (<https://procurement.leonardocompany.com>), responding to the invitation to tender (within the portal is a Manual entitled "*Responding to a Call for Tenders*") and uploading the following documents:
 - A statement issued by at least one bank or intermediary (at least two for tenders worth more than 5 million euros) authorized according to Legislative Decree n. 385/93, attesting to their financial and economic capability/strength (the so called Bank References);
 - *WS1979185931 - Disclosure of interest.pdf*: mandatory compilation;
 - *WS1979185931 - Disclosure of interest-Attachment A.xlsx*: mandatory compilation.

Please note that after the expiration time of this invitation to tender, it will no longer be possible to respond to the call and communicate your disclosure of interest.

In any case, applicants who communicate their disclosure for interest must acknowledge and accept that they cannot claim any right to be invited to tender, with no obligation on the part of LGS to provide any reasons.

For those who may be invited to tender, if they have not already been pre-qualified or qualified by LGS, a process of pre-qualification will begin on the Procurement Portal. This process will require them to provide additional documentation to support the evaluation of their ethical, legal and economic/financial requirements.

5. Processing of personal data

Pursuant to Legislative Decree 196/2003 and Reg. EU 679/2016 (hereinafter jointly referred to as “**Privacy Legislation**”), we are hereby notice you that personal data provided for by “data subject” to tender notice are processed by LGS - with having registered offices in Rome, Piazza Monte Grappa, 4 - as being the Controller (as defined in Privacy Legislation), for the purposes linked to the tender handling process, the eventually subsequent awarding and relative agreement signature.

6. Regulations as per Legislative Decree 231/2001 and Anti-corruption Law

By communicating their disclosure of interest, each applicant acknowledges and agrees their prior acceptance of the Code of Ethics of Leonardo Global Solutions SpA and the Anti-Corruption Code of the Leonardo Group, which is a prerequisite for participation in the tender procedure and therefore, in case of invitation to participate, they agree to comply with the provisions contained therein. The aforementioned documents are available from the website <http://www.leonardoglobalsolutions.com> “Ethics and Compliance” section.

7. Other information

The arrangements for submitting the bids, any other grounds for exclusion from the tender and other information, will only be communicated to those who, following the forwarding of their disclosure of interest, together with the documents mentioned herein and the verification by LGS of the minimum tendering requirements set out in this call for tenders, will be invited to participate in the bidding process.

This request is not binding in any way for this company nor the beneficiaries of the supply and should not lead to expectations whatsoever about the entities presenting their disclosure of interest. LGS, with incontestable discretion, reserves the right not to award the tender, to award only part of the contract, to restart the tender procedure or to make changes to this invitation to tender.

Finally, please note that this tender procedure and the related contract are subject exclusively to the rules of private law, ruling out the applicability of the Public Contracts Code (Legislative Decree no. 163/2006) and its implementing measures, even in the presence of explicit references to specific provisions of the Public Contracts Code (or its implementing measures) contained, optionally, in the invitation to tender or documents related to it.

Yours faithfully

Purchasing Manager

Alessandro Ocera

Signed by Alessandro Ocera

on 14/06/2024 08:04:24 CEST