

Centro Nazionale HPC, Big Data e Quantum Computing
Missione 4, Componente 2, Investimento 1.4
Codice progetto MUR: CN_0000013 - CUP: E63C22000980007



NOTICE OF MARKET SURVEY AIMED AT THE DEMONSTRATION OF INTEREST IN PARTICIPATING IN THE NEGOTIATED PROCEDURE PURSUANT TO ART.1, PARAGRAPH 2, LETTER B) OF THE DL N. 76 OF 16 JULY 2020, CONVERTED BY LAW 120/2020

PREMISE

The Physics Department "E. Pancini" of the Federico II University of Naples, intends to proceed with the intervention relating to the "Supply of a dilution cryostat with a base temperature of about 10 mK and a cooling power of about 1000 microW around 100 mK, to ensure cooling and the functioning of superconducting quantum components (Q-Bit)" for the needs of the Department of Physics "E. Pancini" within the research project National HPC Center, Big Data and Quantum Computing, Mission 4, Component 2, Investment 1.4, MUR project code: CN_0000013 - CUP: E63C22000980007.

To this end, the Administration, in compliance with the provisions of the ANAC Guidelines n. 4, implementing Legislative Decree 18 April 2016, n. 50, containing "*Procedures for the award of public contracts for amounts above the thresholds of Community relevance, market surveys and formation and management of lists of economic operators*", publishes this notice to identify qualified economic operators to be invited to the subsequent negotiated procedure without prior publication of a notice.

The contract is regulated:

- 1) from the Public Contracts Code, issued with Legislative Decree 50/2016 and subsequent amendments and by Legislative Decree 76 of 07/16/2016, converted into law 120/2020;
- 2) by the Guidelines issued by the Anac;
- 3) by Law 190/2012 and subsequent amendments;
- 4) by the provisions contained in the Technical - Administrative Specifications;
- 5) by the rules on the traceability of financial flows pursuant to Law 13 August 2010, n. 136;
- 6) by the provisions of the current University Regulations for Administration, Finance and Accounting;
- 7) from the current Three-year Corruption Prevention and Transparency Plan of the University;
- 8) from the D.P.R. 62 of 16 April 2013 containing the "National Code of Conduct for Public

Employees";

9) by the current University Code of Conduct;

10) of the provisions contained in the Legality Protocol of the Prefecture of Naples, to which the University adhered on 29.12.2009;

11) by the Decree of the Minister of Economy and Finance of 6 August 2021 relating to the allocation of resources in favor of each Administration responsible for the PNRR interventions and corresponding milestones and targets;

12) from Article 1, paragraph 1042 of the law of 30 December 2020, n. 178 pursuant to which with one or more decrees of the Minister of Economy and Finance the administrative accounting procedures for the management of the resources referred to in paragraphs 1037 to 1050 are established, as well as the methods of reporting on the management of the Fund referred to in paragraph 1037;

13) from Article 1, paragraph 1043, second sentence of the law of 30 December 2020, n. 178, pursuant to which, in order to support the management, monitoring, reporting and control activities of the components of the Next Generation EU, the Ministry of Economy and Finance - Department of State General Accounting develops and makes available a specific computer system;

14) from MEF Circular 29 June 2022, n. 27 which defines the monitoring obligations for PNRR interventions

15) from Article 17 of EU Regulation 2020/852 which defines the environmental objectives, including the principle of not causing significant damage (DNSH, "Do no significant harm"), and EU Commission Communication 2021/C 58/01 containing "Technical guidelines on the application of the principle «do not cause significant harm» pursuant to the regulation on the recovery and resilience facility";

16) by the transversal principles envisaged by the PNRR, such as, among other things, the principle of contributing to the climate and digital objective (so-called tagging), the principle of gender equality and the obligation to protect and enhance young people;

17) the obligations to ensure the achievement of targets and milestones and the financial objectives established in the PNRR.

OBJECT

The subject of this Notice is the "*Supply of a dilution cryostat with a base temperature of about 10 mK and a cooling power of about 1000 microW around 100 mK, to ensure the cooling and operation of superconducting quantum components (Q-Bit)*", whose functional technical characteristics are detailed in the Technical Administrative Specifications attached to this notice.

This contract is funded under the research project National HPC Center, Big Data and Quantum Computing, Mission 4, Component 2, Investment 1.4, MUR project code: CN_00000013 - CUP: E63C22000980007.

PLACE

The instrumentation object of this supply must be delivered and installed at the headquarters of the Physics Department "E. Pancini" – University Complex of Monte Sant'Angelo, Via Cinthia – 80126 – Naples, NUTS code ITF33.

RESPONSIBLE FOR THE PROCEDURE

The Sole Manager of the Procedure, pursuant to art. 31 of Legislative Decree 18 April 2016, n. 50,

appointed by Decree of the Director of the Department 18/01/2023, is Dr. Fabio Vigliotta (fabio.vigliotta@unina.it, fabio.vigliotta@personalepec.unina.it), who will also use a support office.

ESTIMATED TOTAL VALUE

For the purposes of art. 35, paragraph 4 of the Code, the estimated starting price is €1,200,000.00 plus VAT, with zero charges for safety from interfering risks.

AWARD CRITERIA

The award of the supply will take place on the basis of the most economically advantageous offer pursuant to art. 95, paragraphs 2 and 6 of Legislative Decree 50/2016.

The Commission of selection, established pursuant to art. 77 of Legislative Decree 50/2016 and the provisions of art. 1 of the Decree of the General Manager of the University n. 711 of 07.19.2016, containing the transitional discipline relating to the appointment of selection commissions in the procedures for awarding procurement contracts to be awarded with the criterion of the most economically advantageous offer, will be composed of n. 3 members and will have 100 points for the evaluation of the offers, of which a maximum of 80 points for the technical evaluation, a maximum of 20 for the evaluation of the economic offer.

PERSONS ADMITTED TO THE PROCEDURE

The subjects indicated in the articles 45 et seq. of Legislative Decree no. 50/2016 and subsequent amendments, single or grouped or consortium members, or who intend to join or form a consortium pursuant to art. 47 and 48 of the same Decree.

PARTICIPATION REQUIREMENTS

a) General requirements:

economic operators, also established in other Member States, according to the provisions of art. 45 of the Code, may submit an expression of interest, provided they meet the requirements set out below:

non-existence of the causes of exclusion pursuant to art. 80 of the legislative decree Legislative Decree 50/2016 and subsequent amendments and to art. 53, co. 16 ter, of Legislative Decree 165/2001;

b) Professional suitability requirements:

registration in the Business Register at the Chamber of Commerce for identical/similar activity to the one in question.

The competitor not established in Italy but in another Member State or in one of the countries referred to in art. 83, paragraph 3 of the Code, presents the corresponding commercial register or sworn declaration or according to the methods in force in the State in which it is established;

For proof of the requirement, the contracting authority acquires the documents held by public administrations ex officio, subject to indication, by the economic operator, of the essential elements for retrieving the information or data requested.

c) Economic-financial capacity requirements:

minimum specific annual turnover, in the sector of activity covered by the assignment or in similar sectors, at least equal to € 1,200,000.00, in the financial year 2022.

Proof of the requirement is provided, pursuant to art. 86, paragraph 4 and annex XVII part I, of the

Code:

- for joint-stock companies through the financial statements approved on the expiry date of the deadline for the submission of offers accompanied by the explanatory notes;
- for economic operators set up as sole proprietorships or partnerships through the Single Model or the VAT Return.

Pursuant to art. 86, paragraph 4, of the Code, the economic operator, who for well-founded reasons is unable to present the requested references, can prove his economic and financial capacity through any other document considered suitable by the contracting authority.

d) Technical capability requirements:

have carried out, in the last three years (understood as the three years prior to the month preceding the publication of the notice), supplies of dilution cryostat systems or in similar sectors relating to the supply of its components and accessories, such as cryostats for cooling at temperatures of the order of 10 mK of superconducting Qbits with a cooling power of about 1000 microW at 100 mK, by presenting the list of the main supplies made in the aforementioned period; Proof of the requirement is provided according to the provisions of art. 86 and Annex XVII, part II, of the Code.

In the case of supplies provided to public administrations or public bodies through:

- original digitally signed by the subscriber, or certified copy digitally signed by the competitor, of the certificates issued by the contracting administration/body, with the indication for each supply, of the object, amount and period of execution.

In the case of supplies to private clients, by one of the following methods:

- original digitally signed by the subscriber or computer certified copy of the certificates issued by the private client, with the indication of the object, the amount and the execution period.

The requisites of economic-financial and professional technical capacity are required for the selection of a reliable economic operator, who guarantees the execution in a workmanlike manner and in compliance with the delivery terms, in consideration of the importance of the supply in question, to which a specific loan is connected subject to reporting times and rules. Hence, the intention to encourage the participation of particularly qualified economic operators, with a wealth of technical knowledge such as to be able to perform the service in the best possible way. Failure to meet even one of the requirements, as requested, determines the failure to invite the subsequent negotiated procedure.

FUNCTIONAL AND PERFORMANCE NEEDS

The supply must concern an instrument compliant with the technical specifications and be performed in compliance with the provisions contained in the Technical-Administrative Specifications.

EXECUTION TIME

The supply in question must be delivered and made operational within the term indicated in art. 4 of the Technical - Administrative Specifications, or within the shorter term offered by the successful tenderer.

The successful tenderer, following the awarding of the tender and before signing the contract, undertakes to start the supply in question, pursuant to art. 32, co. 8, of Legislative Decree 50/2016 as amended, as well as Article 8, paragraph 1 lett. a) of Law 120/2020 converting Legislative Decree no. 76 of 16 July 2020, where the University Administration requests it, by drawing up a special report, pursuant to the aforementioned law.

METHOD OF SUBMISSION OF THE EXPRESSION OF INTEREST

Economic operators, in possession of the requisites described above, who believe they are producing and/or marketing products that meet the technical specifications set out in the Technical Administrative Specifications attached to this notice, must send **within 12,00 CET time of 12.04.2023 at the PEC address: dip.fisica@pec.unina.it**, the following documentation:

- Facsimile Form of Expression of Interest,
- ESPD,
- Model C,
- Model C1,
- Model D
- Self-declaration aimed at verifying pursuant to Legislative Decree 159/2011 and subsequent amendments, drawn up according to the forms attached to this notice, duly signed by the legal representative or by whoever has the power to bind the company and accompanied by a photocopy of a valid identity document of the signatory.
- Model C1, signed by the persons indicated therein, must be presented exclusively in the cases referred to in points 2.a2) and 2.b2) indicated in Model C.

Expressions of interest presented after the aforementioned deadline will not be taken into consideration for the purposes of this market consultation.

As a result of this market survey, for the purpose of awarding the supply, the Department of Physics "E. Pancini" of the University of Naples Federico II will initiate a negotiated procedure without prior publication of a notice pursuant to art. 1, c. 2, lit. b) of Legislative Decree no. 76 of 16 July 2020, converted into Law 120/2020, which will be carried out through direct negotiation to which all economic operators - in possession of the prescribed requirements - who have responded positively to this Notice will be invited.

This notice, aimed at carrying out a market survey, does not have the nature of a contractual proposal and has the sole function of identifying the qualified economic operators to be invited to the selection procedure, in compliance with the principles of transparency, non-discrimination, equality of treatment, as well as in compliance with the University's Three-year Corruption Prevention Plan, the Code of Conduct for Public Employees and the University's Code of Conduct, all attached to this Notice.

The University also reserves the right not to proceed with the call for the subsequent negotiated procedure, to suspend, revoke or cancel it for reasons of public interest, or to entrust it even in the presence of only one valid offer.

Within the maximum limit of 5 days prior to the deadline indicated above for the presentation of the expression of interest, **any information and/or clarifications of a technical and/or administrative nature may be requested from the RUP.**

Failure to comply with the terms and/or failure to use the PEC address indicated will result in the failure to respond to the requests sent.

The presentation of an expression of interest does not give the right to any compensation or reimbursement.

In any case, participation in this consultation does not determine expectations, nor any right, nor

does it commit, in any way, the Administration towards the operators concerned, it being understood that any acquisition of the products covered by this consultation is subject to will be activated pursuant to Legislative Decree 50/2016 and subsequent amendments. and of Legislative Decree 76/2020, converted into Law 120/2020.

For the purposes of maximum dissemination and publicity of this notice, it will be published in the Official Notice Board of the University, as well as on the website of the University of Naples Federico II, at the following address: <http://www.unina.it> area "tenders and contracts" (call for tenders) and on the website <http://www.fisica.unina.it> in the "dipartimento trasparente" area. The outcome of this preliminary market consultation will be announced on the institutional website of the University, at the above address.

DATA PROCESSING

Information pursuant to article 13 of Regulation (EU) 679/2016 laying down rules on the processing of personal data.

The data collected with this form are processed for the purposes of the procedure for which they are issued and will be used exclusively for this purpose and, in any case, within the institutional activities of the University of Naples Federico II. The interested party has the rights referred to in articles 15-22 of the EU Regulation.

The data controller is the University, in the persons of the Rector and the Director General, in relation to the specific skills. To contact the owner, you can send an email to the following address: ateneo@pec.unina.it; or to the Data Protection Officer: rdp@unina.it; PEC rdp@pec.unina.it. Complete information relating to the processing of personal data collected is given on the University website: <http://www.unina.it/ateneo/statuto-e-normativa/privacy>.

ATTACHMENTS:

- 1) Facsimile Form of Expression of Interest;
- 2) ESPD;
- 3) Facsimile Model C;
- 4) Facsimile Model C1;
- 5) Facsimile Model D;
- 6) Technical-Administrative Specifications.

**The Sole Responsible for the
Procedure
Dott. Fabio Vigliotta**