

**Posteitaliane**

Corporate Affairs Purchases  
Logistics Purchases

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**COMPETITIVE COMPARISON  
FOR THE SUPPLY OF  
1 B737-400 cargo AIRCRAFT  
IN WET LEASE**

**Special Tender Conditions**

Part I - Terms of Participation

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## 1 FOREWORD

### Whereas:

- Poste Italiane S.p.A. ("Poste"), in accordance with the strategic, standardised, integrated management guidelines of the Poste Italiane Group, has entered into a Service Agreement with Poste Air Cargo S.r.l., a company which is subject to direction and coordination by Poste Italiane, so that Poste can fulfil the procurement procedures provided for in the Service Agreement;
- As the services provided for in this Agreement relate to the transport of express courier packages, for which Poste Italiane has an exemption under Article 30 of Directive 2004/17 (currently Article 34 of Directive 2014/25 and Article 8 of legislative decree 50/2016 as amended) and the related provision of the European Commission of 30 April 2008 (DPCM - Department for Community Policies 25 June 2008 published in the Official Gazette no. 214 of 12 September 2008), they are not subject to the provisions of Italian legislative decree 50/2016 as amended.

The services covered by this Comparison are therefore not subject to the provisions of the current version of Italian legislative decree 50/2016.

The following legislative references contained in this document or in the annexes only refer to the rules of law and/or regulations expressly mentioned in each case.

This comparison procedure is governed by the following documents:

- Notice of declaration of interest and Annex A - Procedure for requesting access to the portal;
- Technical Specifications;
- Annex 1: Declaration of interest form;
- Annex 2: Financial Bid.

The participants are required to accept the above documents by signing Annex 1.

Annexes 1 and 2 may be edited. The Company must therefore use the annexes provided, and leave blank any fields that do not apply.

The Companies viewing this document must treat it as strictly confidential.

By taking part in this comparison, the operator hereby acknowledges and accepts the provisions of the "Code of Ethics of the Poste Italiane Group", available at [www. Posteitaliane.it](http://www.posteitaliane.it).

In order to view all the documents, the Company must access the portal [www.posteprocurement.it](http://www.posteprocurement.it), as described further in Annex A - Procedure for requesting access to the portal.

The Company must fulfil the requirements described in the Notice of declaration of interest, which are reported below:

- a. Copy of EU Operating Licence;
- b. Copy of the aircraft's certificate of registration;
- c. Copy of the aircraft's certificate of airworthiness (CofA) and Airworthiness Review Certificate (ARC);
- d. Copy of the aircraft's noise certificate;
- e. Copy of the air operator certificate (AOC);
- f. Copy of the operations specifications;
- g. Copy of the aircraft's radio licence;

- h. Copy of the aircraft's third-party liability insurance certificate(s);
- i. Part 145 Approval Certificate (if available);

The Comparison procedure will be completed online through the portal [www.posteprocurement.it](http://www.posteprocurement.it).

Bids received in any other way will not be accepted.

Procurement procedure manager: Carmela Lorenzini

## **2 OBJECT AND DURATION OF CONTRACT**

The object of this comparison is the supply of 1 B737 – 400 cargo aircraft or, if unavailable, of 1 B737 – 300F aircraft or equivalent, in WET LEASE, with the characteristics described in detail in the Technical Specifications' Annex.

Poste Air Cargo S.r.l. will have the faculty to renew the agreement at the same terms and economic conditions up to additional 2 months, by written notice communication at least 15 days before the expiry of the contract.

## **3 TERMS OF PARTICIPATION**

### **3.1 Deadline for submission of bids**

The documents required for participation, and the financial bid, must be submitted online in the relevant sections and areas of the Internet portal [www.posteprocurement.it](http://www.posteprocurement.it) no later than 13:00 hours on 09/10/2019.

### **3.2 Documents required for participation**

To take part in this procedure, the company must submit:

**1) Annex 1: Declaration of interest form;**

**2 ) Annex 2: Financial bid**

The bid must be prepared in euros to 2 decimal places, with figures written in both numbers and words.

The bid must be legibly signed by the legal representative.

In the event of any discrepancy between the figures formulated in numbers and those in words, the amount in words will prevail.

The bid must remain valid for 20 days from the deadline for submission.

### **3) Annex 3: Technical documentation**

- a. Copy of EU Operating Licence;
- b. Copy of the aircraft's certificate of registration;
- c. Copy of the aircraft's certificate of airworthiness (CofA) and Airworthiness Review Certificate (ARC);
- d. Copy of the aircraft's noise certificate;
- e. Copy of the air operator certificate (AOC);
- f. Copy of the operations specifications;
- g. Copy of the aircraft's aircraft radio licence;
- h. Copy of the aircraft's third-party liability insurance certificate(s);

- i. Part 145 Approval Certificate (if available);

The declaration of interest, the documents required for participation and the financial bid must be submitted online, in the relevant areas and sections of the portal [www.posteprocurement.it](http://www.posteprocurement.it), no later than 13:00 hours on 09/10/2019. This deadline is mandatory and of the essence. The documents must be submitted as described below.

In order to take part in this Comparison, the company, authorised to access the portal, must access the online RDO for this procedure, before the deadline stated for the submission of bids.

N.B. Poste Italiane may request further information or clarification about the documents submitted.

#### **4 CHANGES TO THE PROCEDURE**

Poste reserves the right to:

- make any changes and/or additions for the purposes of submitting answers to the questions on the documents provided, as necessary;
- postpone the deadline for submission of bids.

#### **5 MODALITY OF ASSIGNMENT**

The tender will be assigned to the bidder who offered the lowest price respect to the whole offer submitted.

#### **6 OPENING AND EXAMINATION OF REPLIES AND IMPROVED BIDS**

After the closure of the online RDO (request for offer) procedure, the assessment team, through the portal:

- will open the "Commercial Response" area of the online RDO and will verify and examine the declarations of interest and documentation submitted by each company;
- will draw up the ranking.

All activities will be carried out in a private session.

Poste, using the online messaging system, may invite the Company to provide any clarifications necessary to facilitate the assessment of the documents submitted. It may set a deadline for this purpose, by which time all supplementary information and/or clarification must be submitted.

After opening and analysing the bids submitted, Poste may:

- a) award the services to the first-ranked bidder;
- b) negotiate more favourable prices directly with the first-ranked bidder;
- c) ask any company or companies who submitted bids in the first phase that were deemed to be of interest by Poste to provide one or more improvements on their bids, online, according to terms to be communicated through the online messaging system. The participants are advised to periodically check their emails at the end of the first phase.

At the end of the phase referred to in point c), Poste may request a further improvement, or may negotiate prices with the best bidder.

The above process may be repeated several times. Notice of the final improvement bid will be given in any case.

## **7 AWARD OF CONTRACT AND OBLIGATIONS OF SUCCESSFUL BIDDER**

When the assessment team has completed its activities and once the Comparison ranking has been decided, Poste, using the online messaging tool, will inform the Company identified as the best bidder, of the award of the contract.

Using the online messaging system, the successful bidder must submit the following documents within 10 days:

### **1) Legal declarations:**

The Company must submit a declaration by its Legal Representative or by a person with power of attorney, in compliance with articles 46 and 47 of Decree (D.P.R.) 445 of 28th December 2000, together with photocopy of a valid identity document of the signatory, stating :

- his role as Legal Representative of the company or attorney, and based on which delegation of authority or power of attorney;
- local Chamber of Commerce – or equivalent body for companies registered within UE - registration number and names of the company's Legal Representatives, stating that the Company is not bankrupted, or in a liquidation or winding up procedure either voluntary or mandatory: as an alternative, a full Chamber of Commerce certificate may be submitted;
- consent to personal data treatment pursuant to the EU data Protection Regulation 2016/679 GDPR and Legislative Decree 196/03;
- to be the holder of an air transport operator license and photocopy of same;
- to be the holder of an EU Operating Licence (EU Reg. 1008/2008) and an Air Operator Certificate EU AIR OPS (EU Reg. 965/12);
- willingness to submit promptly all necessary documentation as required to obtain the Civil Aviation Authority's (ENAC) permission to operate on wet lease terms on behalf of Poste Air Cargo.

The above declarations and documents must not be more than twelve months old at the time the bid is submitted. The AOC must be valid, and must remain valid for the duration of the contract.

### **2) Bank declarations;**

Companies must submit at least one bank's declaration (original), stating that they have the economic and financial standing as required to perform the contract.

3) Once the terms of offer presentation are expired, the Company, if requested, shall provide the below mentioned documentation/manuals and shall ensure the availability to receive audit/inspection by Poste Air Cargo Quality Manager / Compliance Monitoring Manager.

Confidentiality of data and audit results will be guaranteed by both parties through the mutual endorsement of the attached Non-Disclosure Agreement (NDA).

The documentation/manuals to be produced to allow auditing activities by Poste Air Cargo and application for wet lease-in approval by Italian Authority are the following:

- Operations Manual Part A
- Operations Manual part B
- Operations manual Part D
- Management System Manual (or Compliance Monitoring and Safety Manual if edited in separated volumes)

- Security Manual
- Emergency Response Plan
- Ground Operations manual (or equivalent)
- CAME
- MOE (if applicable).

## **8 REQUESTS FOR CLARIFICATION**

Any additional information and/or clarifications about the contents of this letter and of the other documents in this procedure may be requested via the online messaging system no later than 13:00 hours on 07/10/2019.

Using the online messaging system, Poste Italiane may invite the company to provide any clarifications as necessary, to facilitate the assessment of the documents submitted. It may set a deadline for this purpose, by which time all supplementary information and/or clarification must be submitted.

## **9 RIGHT NOT TO ADJUDICATE TENDER**

The submission of a bid does not establish any rights and/or expectation that the operator will be awarded the contract, nor will it result in the reimbursement of any costs incurred in submitting the bid. Poste Italiane may, at its discretion, decide not to continue the procurement procedure.

In particular, Poste Italiane may at any time decide not to start the comparison, or to suspend or revoke the comparison procedure, or to discontinue all or part of the procedure, or to not award the contract.

The award of the contract will be declared invalid if the audit by the Compliance Monitoring/Quality Manager is negative, or if ENAC does not give its approval.

## **10 INFORMATION REQUIRED BY REGULATION EU 2016/679 (GDPR)**

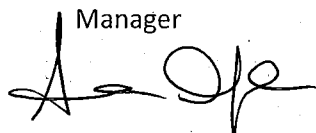
The personal data supplied by the Company will be processed for the following purposes:

- Purposes connected to the fulfilment of this procedure and/or compliance with specific requests of the data subject, prior to formation of the contract;
- Purposes connected to the fulfilment of obligations imposed by law, by regulations or by EC legislation.

Poste Italiane S.p.A.

CA/ACQ/Logistics Purchases

Manager



## **Use of online platform: Single-batch Open Procedure**

### **1. Use of portal [www.posteprocurement.it](http://www.posteprocurement.it) and minimum technical requirements**

#### **1.1 Use of portal [www.posteprocurement.it](http://www.posteprocurement.it)**

To view the additional online documents, Companies must request access authorisation to access the portal in advance, by following the procedure indicated in the document "Notice of declaration of interest – wet lease".

Operations carried out on the online system refer to the authorised entity, and are considered to be carried out on the date and at the time recorded on the system log.

The System's time is synchronised to Italian time (UTC (IEN)).

Poste will send all online communications about this procedure to the email address given by the Company at the time of registration (or any address subsequently provided), and in the personal details folder on the portal ("System messages").

The details uploaded onto the portal at the time of registration (or subsequently amended by the Company) will be used for all communications about the procedure.

The Company is responsible for promptly updating any changes to its email address on the portal [www.posteprocurement.it](http://www.posteprocurement.it).

#### **1.2 Minimum technical requirements**

##### **Minimum technical requirements for participation in this procedure**

To take part in this procedure, the Company must meet the minimum technical requirements, which can be viewed at the following address: [https://www.posteprocurement.it/esop/tlp-host/public/poste/web/dotazione\\_tecnica.jst](https://www.posteprocurement.it/esop/tlp-host/public/poste/web/dotazione_tecnica.jst).

### **2. Conduct of a single-batch procedure and support**

The procedure will be conducted on the portal [www.posteprocurement.it](http://www.posteprocurement.it). To take part, the company must:

- a) upload the required documents to the "Commercial Response" area of the online RDO.
- b) Submit its response to the online RDO, according to the procedure indicated in the paragraph below "How to submit your RDO response online".

#### **2.1 Support**

For information on how to upload the documents onto the portal, and in the event of faults with the technology, application or communications, the Company can contact the support service, BravoSolution, on +39 02.266.002.636, or send an email to [posteprocurement@bravosolution.it](mailto:posteprocurement@bravosolution.it) (including details of: the object of the procedure, the problem experienced, and a telephone contact number).



### 3. How to access the online RdO

To access the online RdO, the Company must access the portal [www.posteprocurement.it](http://www.posteprocurement.it):

- a) and then enter the user ID and password in the "Private area";
- b) click "Send";
- c) click the link "Online tenders";
- d) click the link "Submission of bids in sealed digital envelope (RdO)";
- e) click on the section "RdO for all" at the top left of the screen;
- f) click on the description corresponding to the relevant procedure;
- g) [First access only] click on the button "Access", at the top right of the screen and then on "OK" to complete the first access to the online RdO.

**To view the additional documents of the procedure** the Company must access the online RdO and then click on the "Buyer Attachments" label at the top left, in the section "RFQ Details", or click on the link "Note: you still need to read a Buyer attachment, click here to view".

**To start the online RdO response process**, the Company must click on "My Response" and then on "RCreate Response" (on the right of the screen), and confirm. This action needs to be done on first access.

To upload the financial bid onto the online RdO, the Company must click on "Commercial Response", which is in the "My Response Summary" section. Once the requested activities have been completed, click on "Save and Return".

**To send the response to the online RdO**, the company must follow the instructions in the paragraph "How to submit your response to the online RdO".

### 4. How to use the messaging tool

#### 4.1 How to send a message.

**To send a message using the online messaging tool, the Company must:**

- a) access the online RdO;
- b) click on the section "Messages" at the top left of the screen;
- c) click on "Create message";
- d) compile the request ("Object" and "Message");
- e) [If necessary, only if the Company needs to attach documents] click on "Attachments";
- f) click on "upload new file";
- g) click on "Select Files to Upload" and select the document previously saved on your PC;
- h) enter a brief description of the attachment;
- i) click on "Confirm" to attach the file (or click on "Cancel" to go back to the previous screen);
- j) for each document to be attached, click on "upload new file" and repeat the operations from paragraph h) to paragraph j);
- k) [after all the documents have been uploaded] click on "Save all" to upload the document(s) in the list of attachments;

- l) click on "Send Message" to send the message.

## **5. Information about uploading documents onto the portal**

### **5.1 How to upload documents onto the portal**

**To upload documents for the financial bid, the company must:**

- a) access the "Commercial Response" area of the online RDO.
- b) for the "Question" for which the document needs to be uploaded, click on the link "Click to add a digitally signed file", on the right of the screen;
- c) click on "Select File to Upload" and select the document previously saved on your PC;
- d) click on "Confirm" to attach the document in the list of attachments (or click on "Cancel" to go back to the previous screen);
- e) if you need to upload other attachments, click on "Save and continue" and repeat the operations from b) to d);
- f) once the requested activities have been attached, click on "Save and Return";
- g) click on "OK" to confirm the upload or on "Cancel" to go back to the previous screen.

### **5.2 Information about uploading documents onto the portal**

When uploading documents onto the portal, you must follow these rules:

- documents must be uploaded separately, not grouped into a compressed zip file;
- the file name must retain the original wording (e.g. Istanza di ammissione Rossi S.p.A.);
- the files must be in commonly available formats (preferably pdf, Word, xls);
- files must not exceed the following sizes:
  - ✓ 10 MB for mass uploads (uploading multiple files at the same time);
  - ✓ 25 MB for uploads of individual digitally signed files;
  - ✓ 80 MB for uploads of files which are not digitally signed.

## **6. How to submit your response to the online RdO**

### **6.1 Transmission of response to the online RdO**

**To transmit your response to the online RdO:**

- a) access the online RdO;
- b) click "Submit Response";
- c) click on "OK" to confirm.

The system will not allow confirmation (nor will it submit the response electronically) after the expiry of the deadline for submission of responses to this procedure.

Documents which have not been transmitted will not be visible to Poste Italiane at the end of the procedure.

The Company can view the transmission status ("Response submitted to buyer") in the "Response Status" column of its personal folder.

## **6.2 Further information**

The Company can amend data previously transmitted (delete and/or upload new attachments, amend/replace technical bids, and amend/replace financial bids etc.), no later than the deadline set by Poste Italiane for the submission of responses to this procedure, as follows, by:

- a) accessing the online RdO and the area of the response which needs to be changed;
- b) carrying out the change;
- c) clicking on "Keep Changes";
- d) clicking on "Submit Changes".

Before the deadline, the Company can also withdraw any data already submitted, by clicking on the icon with three dots positioned at the top right of the screen, and selecting "Delete Response".

Data which has not been transmitted or which has been deleted will not be visible to Poste Italiane and will thus be disregarded.

If the Company does not intend to submit a bid, for the organisational requirements of Poste Italiane it is asked to submit a response online, by the submission deadline, by indicating the reasons for the refusal and then clicking on the "Refuse" button in the online RDO.

**If Poste makes any changes to the areas of response and/or the configuration settings for the "Commercial Response" area of the online RdO, the system will automatically withdraw any data submitted by the companies.**

**In such a case, after the response has been modified as necessary, the transmission process described in the previous paragraph "How to submit your RDO response online", will need to be repeated.**