

PROT 305/19

Contract award notice – utilities**Results of the procurement procedure****Services****Legal Basis:**

Directive 2014/25/EU

Section I: Contracting entity**I.1) Name and addresses**

Viveracqua scarl. This pre-commercial procurement (PCP) is carried out by Viveracqua who was appointed as lead procurer to coordinate and lead the joint procurement in the name and on behalf of the buyers group listed in I.1.

04042120230

Lungadige Galtarossa, 8

Verona

37133

Italy

Contact person: Zinaida Gavrilita

E-mail: smartmet.procurement@viveracqua.it

NUTS code: ITH3

Internet address(es):Main address: <http://www.smart-met.eu/>Address of the buyer profile: <http://www.viveracqua.it>**I.1) Name and addresses**

Consortio de Gestión de Servicios Medioambientales de la Diputación de Badajoz, hereinafter referred to as "Promedio";

ESP0600044B

Calle Felipe Checa, 23

Badajoz

06071

Spain

Contact person: Francisca Tena Medina

E-mail: smartmet.procurement@viveracqua.it

NUTS code: ES431

Internet address(es):Main address: <http://www.smart-met.eu/>Address of the buyer profile: www.promedio.dip-badajoz.es**I.1) Name and addresses**

Eau de Paris

510611056

19 rue Neuve Tolbiac

Paris

75013

France

Contact person: Olivier Roy
E-mail: smartmet.procurement@viveracqua.it
NUTS code: FR101
Internet address(es):
Main address: <http://www.smart-met.eu/>
Address of the buyer profile: www.eaudeparis.fr

I.1) **Name and addresses**

Syndicat des Eaux et de l'Assainissement Alsace Moselle, hereinafter referred to as "SDEA"
256 701 152
Espace Europeen entreprise – 1 rue de Rome
Strasbourg
67013
France

Contact person: Florian Simonin
E-mail: smartmet.procurement@viveracqua.it
NUTS code: FRF11
Internet address(es):
Main address: <http://www.smart-met.eu/>

I.1) **Name and addresses**

Compagnie Intercommunale Liégeoise des Eaux, hereinafter referred to as "CILE"
BE 0202.395.052
Canal de L'Ourthe 8
Liege
4031
Belgium

Contact person: Bernard Michaux
E-mail: smartmet.procurement@viveracqua.it
NUTS code: BE332
Internet address(es):
Main address: <http://www.smart-met.eu/>

I.1) **Name and addresses**

Vivaqua Scrl
Bruxelles
Belgium
E-mail: smartmet.procurement@viveracqua.it
NUTS code: BE10
Internet address(es):
Main address: <http://www.smart-met.eu/>

I.1) **Name and addresses**

Fővárosi Vízművek Zrt. (Budapest Waterworks plc.)
01-10-042451
Váci út 23-27
Budapest
1134
Hungary

Contact person: Eszter Kovacs
 E-mail: smartmet.procurement@viveracqua.it
 NUTS code: HU110
Internet address(es):
 Main address: <http://www.smart-met.eu/>
 Address of the buyer profile: www.vizmuvek.hu

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:
 Italy

The contract is awarded by a central purchasing body

I.6) **Main activity**

Water

Section II: Object

II.1) **Scope of the procurement**

II.1.1) **Title:**

Horizon 2020 research and innovation programme under grant agreement No 731996 - SMART.MET

II.1.2) **Main CPV code**

73100000

II.1.3) **Type of contract**

Services

II.1.4) **Short description:**

The aim of this Pre-Commercial Procurement (PCP) is the procurement of R&D (research and development) services involving risk-benefit sharing under market conditions and competitive development in phases, for the development of a new remote reader system for water meters, which ensures effectiveness, efficiency and interoperability and which is based on open standards.

This contract notice invites interested operators to submit tenders to a procurement.

This procurement is for R&D services to develop solutions to tackle the following common challenge: This contract is aimed to finding a new, efficient, interoperable economic system based on open standard (drinking) Water Smart Metering System.

This PCP procurement is a joint procurement by different procurers across Europe that are all facing the same common challenge and are thus looking for similar solution (so called "buyers group").

II.1.6) **Information about lots**

This contract is divided into lots: no

II.1.7) **Total value of the procurement (excluding VAT) (Agree to publish? no)**

Value excluding VAT: 3 240 000.00 EUR

II.2) **Description**

II.2.1) **Title:**

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

II.2.3) **Place of performance**

NUTS code: IT

Main site or place of performance:

At least 51% of the R&D services procured shall be performed within the EU Member States, or a country that is associated to H2020

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. This will make it possible to compare competing alternative solutions.

Each selected operator will be awarded a framework agreement that covers 3 R&D phases.

The 3 phases are:

- R&D up to solution design
- R&D up to a prototype
- R&D up to original development, validation and testing of a limited set of first products or services.

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.

Testing is expected to take place in 5 different site locations, indicated to the bidders by the Lead Procurers, each one in a different of the following country: France, Italy, Spain, Hungary, Belgium, to ensure that a comparison of the performance between sites and solutions is possible, in particular test locations of the procurers and other additional test locations. This testing may also serve as a first customer test reference for the contractors. The procurement is expected to start in 27.06.2018 and end in 30.06.2021.

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 i.e. beyond the procurers.

II.2.5) Award criteria (Agree to publish? yes)

Quality criterion - Name: A) level of originality and innovativeness of the proposed solution and ability of generating a technological advance that could go beyond the state-of-the-art technology / Weighting: 15

Quality criterion - Name: B) level of completeness and responsiveness of the solution to meet the functional requirements / Weighting: 20

Quality criterion - Name: C) technical validity and robustness of the solution proposed / Weighting: 20

Quality criterion - Name: D) commercial and standardization potential / Weighting: 10

Quality criterion - Name: E) ability to minimize the whole life-cycle cost / Weighting: 10

Quality criterion - Name: F) quality of the risk management and mitigation plan / Weighting: 5

Cost criterion - Name: The price / Weighting: 20

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:

Horizon 2020: EU project 731996 - SMART.MET

II.2.14) Additional information

Participation in the open market consultations that were 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. The procurement will follow the procedure described in the tender documentation.

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
- IV.1.6) **Information about electronic auction**
- 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: 2018/S 123-280648
- IV.2.8) **Information about termination of dynamic purchasing system**
- IV.2.9) **Information about termination of call for competition in the form of a periodic indicative notice**

Section V: Award of contract

Contract No: Specific contract for Phase II - n. 36

Lot No: Codice CIG for Phase II n. 79645488EC

Title:

Horizon 2020 research and innovation programme under grant agreement No 731996 - SMART.MET

A contract/lot is awarded: yes

- V.2) **Award of contract**
- V.2.1) **Date of conclusion of the contract:**
08/07/2019
- V.2.2) **Information about tenders (Agree to publish? yes)**
Number of tenders received: 4
Number of tenders received from SMEs: 4
Number of tenders received from tenderers from other EU Member States: 4
The contract has been awarded to a group of economic operators: no
- V.2.3) **Name and address of the contractor (Agree to publish? yes)**
FAST S.p.A.
Via Molino Poncino, 4
Scandiano
42019
Italy
NUTS code: ITH53
The contractor is an SME: yes
- V.2.4) **Information on value of the contract/lot (excluding VAT) (Agree to publish? yes)**
Initial estimated total value of the contract/lot: 250 000.00 EUR
Total value of the contract/lot: 240 000.00 EUR
- V.2.5) **Information about subcontracting**
- V.2.6) **Price paid for bargain purchases**

- V.2.7) **Number of contracts awarded:**
1
- V.2.8) **Country of origin of the product or service**
Community origin
- V.2.9) **The contract was awarded to a tenderer who submitted a variant**
no
- V.2.10) **Tenders were excluded on the ground that they were abnormally low**
no

Section V: Award of contract

Contract No: Specific contract for Phase II - n. 37

Lot No: Codice CIG for Phase II n. 796456247B

Title:

Horizon 2020 research and innovation programme under grant agreement No 731996 - SMART.MET

A contract/lot is awarded: yes

- V.2) **Award of contract**
- V.2.1) **Date of conclusion of the contract:**
08/07/2019
- V.2.2) **Information about tenders (Agree to publish? yes)**
Number of tenders received: 4
Number of tenders received from SMEs: 4
Number of tenders received from tenderers from other EU Member States: 4
The contract has been awarded to a group of economic operators: no
- V.2.3) **Name and address of the contractor (Agree to publish? yes)**
Telereading S.r.l.
Zona Industriale Blocco Palma II
Catania
95121
Italy
NUTS code: ITG17
The contractor is an SME: yes
- V.2.4) **Information on value of the contract/lot (excluding VAT) (Agree to publish? yes)**
Initial estimated total value of the contract/lot: 250 000.00 EUR
Total value of the contract/lot: 250 000.00 EUR
- V.2.5) **Information about subcontracting**
- V.2.6) **Price paid for bargain purchases**
- V.2.7) **Number of contracts awarded:**
1
- V.2.8) **Country of origin of the product or service**
Community origin
- V.2.9) **The contract was awarded to a tenderer who submitted a variant**
no
- V.2.10) **Tenders were excluded on the ground that they were abnormally low**

no

Section V: Award of contract

Contract No: Specific contract for Phase II - n. 38

Lot No: Codice CIG for Phase II n. 7964589AC1

Title:

Horizon 2020 research and innovation programme under grant agreement No 731996 - SMART.MET

A contract/lot is awarded: yes

V.2) **Award of contract**

V.2.1) **Date of conclusion of the contract:**

04/07/2019

V.2.2) **Information about tenders (Agree to publish? yes)**

Number of tenders received: 4

Number of tenders received from SMEs: 4

Number of tenders received from tenderers from other EU Member States: 4

The contract has been awarded to a group of economic operators: no

V.2.3) **Name and address of the contractor (Agree to publish? yes)**

HYDROKO NV

Oudemansstraat 14, B

Kapelle-op-den-Bos

1880

Belgium

NUTS code: BE

The contractor is an SME: yes

V.2.4) **Information on value of the contract/lot (excluding VAT) (Agree to publish? yes)**

Initial estimated total value of the contract/lot: 250 000.00 EUR

Total value of the contract/lot: 238 000.00 EUR

V.2.5) **Information about subcontracting**

V.2.6) **Price paid for bargain purchases**

V.2.7) **Number of contracts awarded:**

1

V.2.8) **Country of origin of the product or service**

Community origin

V.2.9) **The contract was awarded to a tenderer who submitted a variant**

no

V.2.10) **Tenders were excluded on the ground that they were abnormally low**

no

Section V: Award of contract

Contract No: Specific contract for Phase II - n. 39

Lot No: Codice CIG for Phase II n. 79646003D7

Title:

Horizon 2020 research and innovation programme under grant agreement No 731996 - SMART.MET

A contract/lot is awarded: yes

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- V.2) **Award of contract**
- V.2.1) **Date of conclusion of the contract:**
03/07/2019
- V.2.2) **Information about tenders (Agree to publish? yes)**
Number of tenders received: 4
Number of tenders received from SMEs: 4
Number of tenders received from tenderers from other EU Member States: 4
The contract has been awarded to a group of economic operators: yes
- V.2.3) **Name and address of the contractor (Agree to publish? yes)**
Dynamic Consulting International Telecommunications Spain S.L.
avda de Castilla 2
San Fernando de Henares
28830
Spain
NUTS code: ES
The contractor is an SME: yes
- V.2.3) **Name and address of the contractor (Agree to publish? yes)**
Gomez Group Metering S.L.
Calle Llodio 3
Madrid
28034
Spain
NUTS code: ES
The contractor is an SME: yes
- V.2.3) **Name and address of the contractor (Agree to publish? yes)**
Abering Contadores de Agua S.L.
Calle Jerez de los Caballeros 2
Madrid
28042
Spain
NUTS code: ES
The contractor is an SME: yes
- V.2.4) **Information on value of the contract/lot (excluding VAT) (Agree to publish? yes)**
Initial estimated total value of the contract/lot: 250 000.00 EUR
Total value of the contract/lot: 223 316.25 EUR
- V.2.5) **Information about subcontracting**
- V.2.6) **Price paid for bargain purchases**
- V.2.7) **Number of contracts awarded:**
1
- V.2.8) **Country of origin of the product or service**
Community origin
- V.2.9) **The contract was awarded to a tenderer who submitted a variant**
no

V.2.10) Tenders were excluded on the ground that they were abnormally low
no

Section VI: Complementary information

VI.3) Additional information:

Access to the procurement documents is restricted.

Participants should connect to this link (http://www.viveracqua.it/area_riservata.asp) using the following credentials:

codice invito: smart.met.EU

password: 3YFA55257J54

codice invito: smart.met phase 2

password: njJQzxaO6Gmq

Ownership of the results (foreground), pre-existing rights (background) and side-ground (including intellectual and industrial property rights)

All Pre-existing rights (Background IPR) and sideground IPR remain the property of the Party introducing the same (the Lead Procurer, SMART.MET Procurers or any third party supplier that owns it) and nothing contained in the Framework Agreement or any license contract pertaining or pursuant to the Project shall affect the ownership rights of either party (or any third party) in its Pre-existing rights.

The Contractor shall within [2] weeks of the signing of the Framework Agreement provide the Lead Procurer with (i) full information in writing about what relevant and significant Intellectual Property Rights (IPR) it (and/ or any of its subcontractors) holds or is using or has access to (e.g., via its sub-contractors) at the date of the Framework Agreement that pertains or may pertain to the SMART.MET PCP Project or any part thereof and (ii) a list of the software necessary for the operation of the prototype and first test series products that will be developed during the PCP, specifying which software is closed source software. An updated list (to the extent necessary) must be provided with each proposal for the next Phase. The Contractor must duly inform the Lead Procurer about the generation of/changes in pre-existing rights and Side-ground within [5] days from the generation /change.

The Contractor shall, upon request of the Lead Procurer or any of the SMART.MET Procurers, provide the latter non-exclusive license to use the relevant and significant Pre-existing (Background) IPR rights that are needed for using the Results and for the purpose of executing the Project as well as for non-commercial research purposes, including (clinical) trials set up to test the validity of the Results. Such licensing shall be done on fair, reasonable and non-discriminatory (FRAND) terms.

The Results and IPR generated by the Contractor in the course of this agreement (Foreground IPR) shall belong to the Contractor. The Contractor will provide each of the SMART.MET Procurers an irrevocable, indefinite, worldwide, royalty-free, non-exclusive license to use, non-commercially and at no additional cost, all Project Results, including Project IPR of what has been achieved with regard to the implementation of the solution design (Phase I), the prototype development (Phase II) and the original development of a limited volume of first products (Phase III). In case of Results that constitute software, the non-commercial research license will extend to all updates and upgrades thereof during the trials set up to test the validity of the Results.

If the Contractor generates Project IPR, whether the Contractor intends to file for protection of it or not, the Contractor shall, within 30 days from such generation, inform the Lead Procurer about the contents of such Project IPR.

The Project IPR shall remain vested within the Contractor. The Lead Procurer or any of the SMART.MET Procurers shall enjoy the right to require the Contractor, upon express request from the Lead Procurer, to transfer the ownership of the Results to the Lead Procurer free of costs or to grant non-exclusive licenses

to third parties on the Results and Foreground IPR developed in the Project, at fair and reasonable market conditions. The Contractor and these third parties are responsible for establishing the fair market conditions. The ranking list PHASE II is as follows:

- Dynamic Consulting, Abering Contadores de Agua, Gomez Group Metering (Spain): 100,00
- Hydroko, Ng (Belgium): 97,30141
- Telereading S.R.L. (Italy): 81,68249
- Fast S.P.A (Italy): 81,39722

VI.4) Procedures for review

VI.4.1) Review body

TRIBUNALE AMMINISTRATIVO REGIONALE PER IL VENETO
Cannaregio, 2277
Venezia
30121
Italy

VI.4.2) Body responsible for mediation procedures

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.

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

VI.5) Date of dispatch of this notice: 16 LUG. 2019

VIVERACQUA S.C.A.R.L.
Il Presidente
Eubio Molise

