

n. 44 del 6/12/2021



*Agenzia Italiana
per la Cooperazione allo Sviluppo*

SEDE DI BEIRUT

IL DIRETTORE DI SEDE

VISTA la Legge n.125 dell'11/08/2014 ed in particolare l'art. 18, che stabilisce che all'Agenzia è attribuita autonomia organizzativa, regolamentare, amministrativa, patrimoniale e di bilancio;

VISTO il Regolamento recante lo Statuto dell'Agenzia Italiana per la Cooperazione allo Sviluppo, approvato con DM n. 113 del 22/07/2015, ed in particolare l'art. 5, comma 1, lett. f), che prevede che l'Agenzia adotti gli atti di gestione necessari per il conseguimento dei propri obiettivi e, nell'ambito della programmazione annuale, eserciti i relativi poteri di spesa, fermo restando il limite di cui all'art. 17, comma 6, della L. 125/2014;

VISTO il decreto del Ministro degli affari esteri e della cooperazione internazionale del 15 dicembre 2015 n. 2438, recante approvazione del "Regolamento di organizzazione dell'Agenzia italiana per la cooperazione allo sviluppo" e successive modifiche e integrazioni;

VISTO il decreto del Ministro degli affari esteri e della cooperazione internazionale di concerto con il Ministro dell'economia e delle finanze del 15 dicembre 2015 n. 1002/2500, recante approvazione del "Regolamento interno di contabilità dell'Agenzia italiana per la cooperazione allo sviluppo";

VISTA la legge 7 agosto 1990, n. 241 e s.m.i., "Nuove norme in materia di procedimento amministrativo e di diritto di accesso ai documenti amministrativi";

VISTA la Direttiva 2014/24/UE del Parlamento europeo e del Consiglio, del 26 febbraio 2014 sugli appalti pubblici;

VISTO il decreto legislativo 18 aprile 2016, n. 50 e s.m.i., disciplinante il Codice dei Contratti Pubblici, in particolare l'art. 1 comma 7 che dispone circa le procedure di scelta del contraente e l'esecuzione del contratto da svolgersi all'estero, tenendo conto dei principi fondamentali del medesimo Codice dei Contratti Pubblici e delle procedure applicate dall'Unione europea e dalle organizzazioni internazionali;

CONSIDERATA l'esigenza di dare attuazione ai principi desumibili dall'articolo 32, comma 2, del succitato Codice dei Contratti Pubblici, individuando preventivamente gli elementi essenziali del contratto e i criteri di selezione degli operatori economici e delle offerte;

VISTO il decreto del Ministro degli affari esteri e della cooperazione internazionale del 2 novembre 2017, n. 192 "Regolamento recante disciplina delle procedure per l'affidamento e la gestione dei contratti da eseguire all'estero", in particolare l'art. 21 che disciplina i contratti stipulati da una sede estera dell'Agenzia Italiana per la cooperazione allo sviluppo;

VISTA la Delibera del Direttore dell'Agenzia Italiana per la cooperazione allo sviluppo n. 108 del 29/05/2017, con il quale è stato conferito alla dott.ssa Alessandra Piermattei l'incarico di direttore della Sede di Beirut dell'Agenzia Italiana per la cooperazione allo sviluppo;

SI AUTORIZZA

La spesa per un importo omnicomprensivo Euro 493,00 (Euro quattrocento novantatré 00/100) per la fornitura di servizio relativa alla lettera d'ordine citata nelle premesse.

La spesa relativa alla prestazione oggetto del presente provvedimento graverà sulla voce di spesa 2.12.3 del budget delle spese di Funzionamento relative all'anno finanziario 2021.

Beirut, 40/12/2021

Il Titolare di Sede


Alessandra Piermattei



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Utente: Dahlia El Hayek

Profilo: RESPONSABILE DEL PROCEDIMENTO EX ART. 10 D.LGS. 163/2006

Denominazione Amministrazione: AGENZIA ITALIANA PER LA COOPERAZIONE ALLO SVILUPPO - AGENZIA ITALIANA PER LA COOPERAZIONE ALLO SVILUPPO - UFFICIO DI BEIRUT

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Smart CIG: Dettaglio dati CIG

Dettagli della comunicazione

CIG	Z25344281B
Stato	CIG COMUNICATO
Fattispecie contrattuale	CONTRATTI DI IMPORTO INFERIORE A € 40.000
Importo	€ 493,00
Oggetto	Anno 2021 -Spese di Funzionamento - Visita oculistica personale AICS BEIRUT
Procedura di scelta contraente	AFFIDAMENTO DIRETTO
Oggetto principale del contratto	SERVIZI
CIG accordo quadro	-
CUP	-
Disposizioni in materia di centralizzazione della spesa pubblica (art. 9 comma 3 D.L. 66/2014)	Lavori oppure beni e servizi non elencati nell'art. 1 dPCM 24/12/2015
Motivo richiesta CIG	Stazione appaltante non soggetta agli obblighi

Dr. Antoine Assaf ,MD
Ophtalmologist
Address: Merhej Nassif, Dekwaneh highway
Mobile#: +961 3 617 530

Date 16/11/2021

To the kind attention of the Italian Agency for Development Cooperation - Lebanon

With reference to your request to perform vision screening to AICS personnel (around 30 employees)

Kindly find below details:

Routine eye exam will include Refraction, Eye Pressure measurement, and detailed assessment of the Anterior Segment of the Eye, as well as the Retina, and Optic Nerve.

Location: St Therese Hospital – Outpatient clinics – Hadath

Tuesday and Thursday between 11:00 and 12:00

Duration of each visit is on the average 15 minutes, a group of 4 employees can be screened per day.

The charge for the above exam is 17€ (seventeen euro)/person.

Method of payment: the payment to be executed at the end of the service on the following bank account:

Beneficiary name: Antoine Toubia Assaf &/SP Gisele Salem Hayek

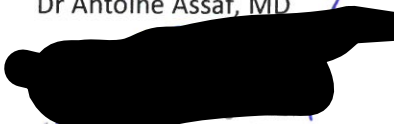
Bank name: Bank of Beirut SAL

IBAN: LB22 0075 0000 0004 040Z 6747 7800

SWIFT Code: BABELBBE

Sincerely,

Dr Antoine Assaf, MD



طبيب وجراح عيون
هاتف ٠١/٦١٦٠٦١-٣١/٤



Lettera d'ordine - CIG Z25344281B

Beirut, 06/12/2021

Spett.le Dott. Assaf,

In relazione al Vostro preventivo del 16/11/2021 Vi comunichiamo che siamo interessati alla fornitura di servizio le cui caratteristiche e condizioni vengono di seguito dettagliate:

1. Servizio:

Visita oculistica per n.29 impiegati della Sede AICS Beirut

2. Caratteristiche tecniche: come da preventivo allegato del 16/11/2021;

3. Prezzo: €493 (quattrocentonovantatré euro);

4. Pagamento: sulla base della presentazione di una fattura e dopo aver accertato la regolarità della fornitura del servizio e la sua corrispondenza al preventivo tramite Verbale di Regolare Esecuzione.

Dear Dr Assaf,

Referring to your quotation dated on 16/11/2021, We confirm our interest in purchasing the service according with the following details:

1. Service:

Vision screening to n.29 of AICS Beirut employees.

2. Technical characteristics: as for attached quotation dated 16/11/2021;

3. Price: €493 (four hundred ninety three euro only).

4. Payment: based on the presentation of an invoice and upon verification of the regular execution of the service according to the details as stated the quotation through the Final Inspection Certificate;

AA



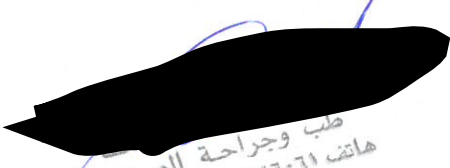
<p>Vi saremo pertanto grati di provvedere alla fornitura del suddetto servizio.</p> <p>RingraziandoVi, distinti saluti.</p>	<p>We will grateful if you could provide us the above service.</p> <p>Yours faithfully.</p>

Per accettazione incondizionata

For unconditioned acceptance

Dr. Antoine Assaf, MD

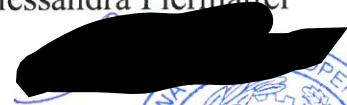
Ophtalmologo



طبيب وجراحة العين
هاتف ٦١-٦٦٦٠٠١/ع-٢٢١

Il Titolare della Sede

Alessandra Piermattei





UNIQUE DOCUMENT OF REQUIREMENTS

PART I

INFORMATION REGARDING THE PROCUREMENT PROCEDURE AND THE CONTRACTING AUTHORITY

Identity of the Contracting Authority	Answer:
Name:	Development Cooperation Section of the Embassy of Italy – AICS Director Alessandra Piermattei
Title and brief description of the procurement:	Affidamento diretto / Single quote – contracts under 40.000 Euro
CIG	CIG Z25344281B

PART II: INFORMATION ABOUT THE ECONOMIC OPERATOR

A. Identification data of the economic operator	Answer:
Name:	Dr. Antoine Assaf
National identification number, if required (tax code, VAT number, registration)	
Mailing address:	
Contact Persons: Phone: PEC or e-mail:(website) (IF existing):	

B. Eventual representatives of the economic operator:	Answer:
Full Name Date e Place of birth	
Position/Title of work:	
Postal Address:	
Telephone:	
E-mail:	
If necessary, provide us details about the representation (form, scope, purpose):	

PART III: REASONS FOR EXCLUSION

A: Reasons related to criminal judgements

The entities that have been subject of a conviction by final judgement which has the force of res judicata in Italy or in the Country where the contract is performed for one or more of the following are excluded from participation in public procurement (1) participation in a criminal organization; (2) corruption; (3) fraud; (4) terrorist offences or offences linked to terrorist activities; (5) money laundering or terrorist financing; (6) child labor or other form of trafficking in human beings; (7) any other illegal activity from which arise incapability of contracting with public Authorities. The relevant criteria are the one provided under Italian law and:

- in the member States of the European Union, the criteria indicated by the internal laws that ratified article 57 of the directive 2014/24/UE;

- in non-member States of the European Union, the equivalent criteria provided by local criminal laws.

The economic operator or a member of its management or supervisory bodies or any person with an authority of representation, decision or control whom has not been convicted for one of the reasons mentioned above with a final judgement since no more than five years or following which judgement an exclusion period has been established and it is still applicable.

B: Reasons related to the payment of taxes or social security contributions

The economic operator has satisfied all the obligations related to the payment of taxes or social security contributions, in the country where it is established, in Italy and in the country where the contract has to be performed.

C: Reasons linked to insolvency, conflict of interests or professional misconduct

- 1) The economic operator is not in breach, according to his knowledge, of any obligations regarding health and safety at work, environmental, social and labor laws.
- 2) The economic operator is not in any of the following situations and it is not subject to a proceedings for the verification of one of the following situations:
 - a) bankruptcy, insolvency procedure, winding up, arrangement with creditors, receivership or other similar situation;
 - b) The economic operator has ceased its activities;
- 3) The economic operator has not been guilty of serious professional misconduct;
- 4) The economic operator has not entered into agreements with other economic operators in order to distort competition;
- 5) The economic operator is not aware of any conflict of interest related to its participation in the procurement procedure;
- 6) The economic operator or a related company did not provide advice to the Contracting Authority or has otherwise been involved in the preparation of the award procedure;
- 7) The economic operator has not already experienced the early termination of a previous public tender or has already been ordered to pay damages or other penalties in relation to a previous public contract;
- 8) The economic operator confirms:
 - a) not having been seriously guilty of false declaration in providing the requested information for verifying the absence of exclusion criteria or the fulfillment of the selection criteria,
 - b) not having concealed this information,
 - c) to be able to transmit without delay the additional documents requested by the Contracting Authority,
 - d) not having attempted to influence the decision-making process of the Contracting Authority, not having attempted to obtain confidential information that may give advantages in the procurement procedure, not having provided misleading information that may have a significant influence on the decisions concerning the procurement procedure.

D: Reasons for exclusion provided for by Italian legislation and equivalent situations provided for by the law of the country where the contract is performed

The economic operator is not in any of the following situations:

- 1) having reasons for decadency, suspension or prohibition provided for by anti-mafia legislation
- 2) is subject to infiltration by criminal organizations
- 3) has been subject to a ban of exercise any activity or to any other another sanction that involves the prohibition of contracting with the public administration
- 4) is registered in the electronic database of the National Anti-Corruption Authority for having submitted false declarations or false documentation for the purpose of obtaining the qualification certificate, for the period during which the registration persists;
- 5) has breached the prohibition of fiduciary registration
- 6) has breached the rules regarding the right of work of the disabled
- 7) if he has been the victim of bribery or extortion crimes committed by criminal organizations or by subject facilitating the activity of criminal organizations and does not occur any case of self-defense, then he has reported the facts to the judicial authority
- 8) is in control of any another participant in the same procurement procedure, or in any relationship, even de facto, if the controlling situation or the relationship implies that the offers are imputable to a single decision-making center.

Has entered into employment or self-employment contracts and, even has assigned tasks to former employees of the Contracting Authority who have terminated their working relationship since less than three years and moreover, for the last three years of service has exercised an authority or negotiating

INFORMATIVE ON PHYSICAL PERSONS DATA PROTECTION
Regulation (EU) 2016/679, art. 13

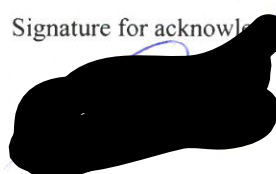
The processing of personal data is based on the principles of law, correctness and transparency to protect the fundamental rights and freedoms of individuals. To this purpose, the following information are provided:

To this purpose, we provide the following information:

1. The ownership for the treatment is with the Italian Agency for Development Cooperation (AICS), that, in the specific case, is operating through the Italian Agency for Development Cooperation – Beirut Office (AICS), Address: Baabda – Presidential Palace Road, Kettaneh Construction Building, 2nd floor, Beirut, Lebanon E-mail: beirut.aicsadmin@esteri.it, Phone:+961 (0)5 951 376/377/378.
2. AICS has a responsible for the personal data protection who, in case of questions or claims, can be reached at (Italian Agency for Development Cooperation, Via Salvatore Contarini 25, 00135 ROMA, tel. 0039 06 324921, e-mail: leone.gianturco@aics.gov.it)
3. The personal data requested are necessary for the selection of the tenderer to which the contract will be awarded.
4. The delivery of data is an obligation provided under Italian law and the eventual denial to provide the requested data shall procure the exclusion from the selection procedure or the awarding of the contract.
5. The treatment shall be made manually or electronically by personnel duly appointed.
6. The data shall be communicated to the internal and external supervision bodies of AICS. By countersigning this information, the interested person provides his consent to the data communication also to the competent local authorities for their verification and to the publication of the main elements of the contract signed on the web site of the Contracting Authority according to Italian laws on transparency of public procurement.
7. The data shall be kept for a maximum period of 5 years from the termination of the contract, including termination for default. Such term is suspended in case of judiciary proceeding.
8. The interested person can ask the access to his personal data and their rectification. In such a case, the interested person shall submit a specific request to the address provided in paragraph 1 above, copying for information the responsible for data protection of AICS to the address provided in paragraph 2 above.
9. The interested person may present a claim to the responsible of data protection of AICS, if he believes that a violation of its rights was made. Alternatively, he may submit a claim to the Guarantor for the data protection “Garante per la protezione dei dati personali” (Piazza di Monte Citorio 121, 00186 Roma, tel. 0039 06 696771, e-mail: garante@gpdp.it, pec: protocollo@pec.gpdp.it) or to the judicial authority.

Beirut, 6/12/2021

Signature for acknowledgment and acceptance

A large black redaction mark covers the signature area, obscuring the name and any handwritten notes.

powers on behalf of the Contracting Authority on the same economic operator (pantouflage or revolving door).

PART IV: SELECTION CRITERIA

The economic operator fulfills all the selection criteria required in the documentation for the procurement procedure

Part V: FINAL DECLARATIONS

The undersigned declares / declare formally that the information contained in parts from II to IV are true and correct and that the undersigned is / are aware / of the consequences, including of criminal nature, of a serious false declaration, provided for by Italian law and local law.

The undersigned hereby certifies/certify the absence of reasons for exclusion provided in Part III and the possession of the requirements provided in Part IV.

The undersigned authorizes/authorize formally the Contracting Authority, as per part I, to perform the verifications with the competent local authorities on the truthfulness of the declarations made according to the requirements.

The undersigned accepts without reservations or exceptions the provisions and conditions contained in the letter of awarding and in its Annex 1 which is an integrated part thereof.

Beirut,

21/12/2021

ASSAF ANTOINE

[name, surname and quality of the undersigned]



ATTACH COPY OF THE IDENTITY DOCUMENT OF EACH SIGNATORY.

CONTRACTOR OBLIGATION

The undersigned Dr Antoine Assaf, on behalf of the firm

after reading the attached synthesis of the Italian Law 136 of August 13, 2010, article 3, with regard:

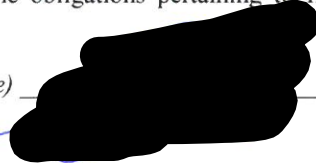
1. To assume all the obligations of the tracking of financial flows pursuant to art. 3 Law 136/2010 with the relevant changes and integrations;
2. To provide details of bank account set-up and dedicated, even not exclusively, to Italian Agency for Development Cooperation in Beirut, covering all financial operations related to the present Order as well as full name/address/fiscal code (or equivalent position) of any individual holding power to operate the mentioned bank account;
3. To inform the Italian Agency for Development Cooperation in Beirut about any variation of the said data;
4. To assure that the above mentioned obligations of the tracking of financial flows will be enforced in any contract and sub-contract related to the present Order under my own responsibility.

to abide, with no exception or reservation, by all the obligations pertaining to financial flow traceability according to Law no. 136/2010.

Beirut

6/12/2021

(Signature)


Italian Law no. 136 of August 13, 2010, article 3**SYNTHESIS**

The Italian Law no. 136 of August 13, 2010, article 3, contains important provisions on the traceability of financial flows and introduces new obligations for public authorities and enterprises involved in public procurements. A decree approved on November 5th clarifies the scope of the provision.

The purpose of this Law is to increase the control on the financial flows in public contracts, as these kinds of contracts often represent the mean by which criminal organizations launder the money obtained through illegal transactions.

Under the new regulation, all operators in any way interested in public contracts have the obligation to use « dedicated » bank account through which must pass every financial transaction relating to the government procurement.

All transactions should be arranged by bank transfer or other means of payment ensuring the tracking of the transaction and should indicate the underlying public investment through a specific identification code—the so-called tender identification code (CIG) and the so-called unique code for project (CUP); both codes will be provided by the Italian Agency for Development Cooperation in Beirut.

All types of actors involved in the public procurement process are concerned by the new regulation: public authorities, purchasers, suppliers, contractors and sub-contractors.

The regulatory framework includes also two other provisions requiring:

- On the one hand, reciprocal control duties for contractors and sub-contractors (« The contractor or sub-contractor who has news of the failure of its counterparty obligations of financial tracking must immediately inform the public authority »)

- On the other hand, public authorities' supervision responsibilities with regard to all public procurement contracts (« The public authority shall verify that in the contracts between contractors and sub-contractors is inserted, on pain of absolute nullity, a clause by which each party assumes the obligations of the tracking of financial flows under this Act).

Signature of acknowledgement



DECLARATION

Subject: consent to the processing and publishing of contractual data

The undersigned, Dr. Antoine Assaf legal representative of
 address
 telephone number informed about the obligations set forth articles 26 and 27 of Italian
 Legislative Decree n.33/2013

DECLARES

to give his consent to the publishing of the data related to the contractual relationships established with the Italian Agency for Development Cooperation in Beirut.

OR

not to give his consent to the processing and publishing of the data related to the contractual relationships established with Italian Agency for Development Cooperation in Beirut.

Beirut,

6/12/2021

(Signature of the Legal Representative)

ARTICLES 26 AND 27 OF ITALIAN LEGISLATIVE DECREE N.33/2013

Art. 26

Obligations of publication of the proceedings for awarding grants, contributions, subsidies and financial aid to persons and private and public entities

2. Public Administrations publish the proceedings for awarding grants, contributions, subsidies and financial aids to firms, and in any case economic benefits of any kind, whose amount exceeds one thousand Euros, to persons and public and private entities as per article 12 of Law no. 241 of 1990.
3. The publication under this article constitutes a legal condition of effectiveness of the measures that provide grants and allocations of a total amount exceeding one thousand Euros during the calendar year to the same beneficiary. Its possible omission or incompleteness is detected automatically by the management bodies, on the public administrations own administrative, financial and accounting responsibility for the non-concession or assignment of the economic benefit. The failed, incomplete or delayed publication automatically detected by control bodies is also detectable by the recipient of the grant or award or anyone else interested, even for damage compensation due to the delay by the administration as per article 30 of Legislative Decree n.104 of 2 July 2010.

Art.27

Obligations of publication of the list of beneficiaries

The publication referred to in Article 26, paragraph 2, necessarily includes, as per paragraph 3 of the same article:

- a) the name of the company or institution and their respective tax information or the name of another beneficiary;
- b) the amount of the paid economic benefit;
- c) the norm or title on which the award is based;
- d) the office and the officer or manager in charge of the administrative proceedings;
- e) the modality adopted for the identification of the beneficiary;
- f) the link to the selected project and the CV of the person in charge.