



UNIONE EUROPEA
Fondo Sociale Europeo
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Codifica documento

PON-OR6-03-KOM-ESA-MoM

Tipo documento

Verbale di consegna in via d'urgenza

Denominazione gara

Fornitura di 3 backend digitali per acquisizione e processing di 6 segnali a larga banda per il ricevitore tri-band K-Q-W

Tipo di procedura

Affidamento mediante **procedura di gara aperta**, sviluppata sulla piattaforma elettronica dell'INAF "U-Buy", ai sensi dell'art. 60 del d.lgs. 18 aprile 2016, n. 50, e s.m.i.

*CUP
CIG*

C87E19000000007
Lotto 1: 84614880CB (BACK_VLBI_IRA)
Lotto 2: 8461500AAF (BACK_VLBI_SRT)

Atto di affidamento

Determinazione n. 41 del 9 marzo 2021

Importo di affidamento

**€ 223.300,00 (lotto 1)
€ 111.600,00 (lotto 2)**

Finanziamento / codice

Azione II.1 del PON Ricerca e Innovazione 2014-2020
Avviso D.D. 424 del 28/02/2018

PIR01_00010 "Potenziamento del Sardinia Radio Telescope per lo studio dell'Universo alle alte frequenze radio - SRT_HighFreq"



Early Start of Activities (ESA) Kick-Off Meeting (KOM) Minutes Conference Call

Agenda of the Early Start of Activities Kick Off Meeting - March 12 th , 2021
Communications from the Procurement Officer of the PON OR6-03 procedure: <ol style="list-style-type: none"> 1. ESA KOM goal 2. Supply delivery and payment schedule 3. Subject in charge of verifying the conformity of the supply 4. Advance payment and performance bond 5. Draft version of the contract - timeline 6. Advertising cost due by Hat-Lab Technologies Ltd. (HK) 7. AOB / TBD
Communications from Hat-Lab Tech. Ltd.
Conclusions of the ESA KOM - Minutes approval

List of participants

Name	Organization	Role	E-mail
Ignazio Porceddu	INAF-OA Cagliari, Cagliari, Italy	OR6-03 Procurement Officer OR6-03	ignazio.porceddu@inaf.it
Giovanni Comoretto	INAF-OA Arcetri, Florence, Italy	OR6 Chief Scientific Officer	giovanni.comoretto@inaf.it
Li Qiang	Hat-Lab Technologies Ltd.	CEO	jensen.liq@outlook.com

The Kick-Off Meeting of the Early Start of Activities “ESA KOM” of the PON OR6-03 (*Obiettivo Realizzativo n. 6*) contract has been held remotely on March 12th, 2021, by using Google Meet tool, Internet address <https://meet.google.com/zcj-gezg-zri>. The PON OR6-03 contract refers to the “Fornitura di 3 backend digitali per acquisizione e processing di 6 segnali a larga banda per il ricevitore tri-band K-Q-W”, which is part of the Project for the “Enhancement of the Sardinia Radio Telescope for the study of the Universe at high radio frequencies - SRT_HighFreq” Proposal PIR01_00010, co-funded by PON “Ricerca e Innovazione 2014-2020”

The representatives of the National Institute for Astrophysics, the “Contracting Authority”, and of the Hat-Lab Technologies Ltd., the “Contractor”, (hereinafter also referred to as “Parties”), are listed at the beginning of these minutes.

Preamble

- With the “Resolution Act” nr. 170, issued on September 21st, 2020 (“Det_170/20”) the Director of the “INAF-Astronomical Observatory of Cagliari” (hereinafter also referred to as the “Director”) has approved the publication of the open call for tender pursuant art. 60, decree n. 50 of 18 April 2016 and f.m.i., aiming at procuring three digital backends to serve the tri-band K-Q-W VLBI-related receivers, which were part of



the task "Obiettivo Realizzativo n. 6", ("OR6") of the proposal presented by INAF for the "Enhancement of the Sardinia Radio Telescope for the study of the Universe at high radio frequencies" SRT_HighFreq" - PIR01_00010 co-funded with the PON "Ricerca e Innovazione 2014-2020".

- Pursuant to Det_170/20:
 - i. **Dr. Ignazio Enrico Pietro Porceddu** has been confirmed as **Procurement Officer** of the OR6-03 procedure" (*hereinafter also referred to as "RUP"*);
 - ii. The overall **tender value** has been established equal to **€ 335,000.00**: lot 1 value was set at € 223.333,33 and lot 2 value was set at € 111.666,67.
- The call for tender's Notice was published on the Official Journal of the European Union GU/S S197, October 9th, 2020, code 474553-2020.
- Only one bid was received, the one submitted by "**Hat-Lab Technologies Limited**" (**Hat-Lab Ltd.**). It has been assessed that the application received is compliant to the general, economic-financial and technical requirements requested by the Contracting Authority;
- A "**selection Board**", which was appointed by the **Director** with the "**Resolution Act**" nr. 220, issued on **November 18th, 2020**, has evaluated the bid presented by **Hat-Lab Ltd.**, taking into account both technical proposal and economic bid/offer. After such an evaluation, the "**selection Board**" proposed *to award the contract* to **Hat-Lab Ltd.** The total **bid price** was set to **€ 334.900,00** (lot 1: **€ 111.600,00** – lot 2: **€ 223.300,00**)
- Pursuant to art. 80 of the Italian Public Procurement Regulations (the "**Code**"), the **RUP** carried out the formal checks in order to verify the absence of exclusion grounds. This specific step ended with the "**Resolution Act**" nr. 41, issued on **March 9th, 2021** ("**Det_41/21**"), where the **Director** of the "**INAF-Astronomical Observatory of Cagliari**" approved the awarding procedure. With such a decision, the "**Contracting Authority**":
 1. **fully approves** the tender procedure and the related documentation;
 2. **endorses** the conclusion of the "**selection Board**", which proposed to award to **Hat-Lab Ltd.** the contract for the *supply of three digital backends for the acquisition and processing of six wide-band astronomical radio signals to be used on the K-Q-W three-band receivers*, CUP C87E19000000007 – CIG lotto 1: 84614880CB, CIG lotto 2: 8461500AAF
 3. **endorses** the conclusions of the **RUP**, which has carried out the process for ascertaining the absence of **Hat-Lab Ltd.**'s exclusion grounds;
 4. **awards** to **Hat-Lab Ltd.** the contract for the procurement of the two lots;
 5. has appointed **Dr. Giovanni Comoretto** as the "**Support Officer in charge of the testing phase**";
 6. Pursuant to Article 32 paragraph 7. of the **Code**, *the award will only become effective after checking the "Antimafia Information Act"*;
 7. **due to the potential serious damage to the public interest** that would result in case of a delayed signing of the contract, and the consequent delay in starting the

receiver design activities, and potential loss of EU funding if the **three backends** would not be delivered within the timeframe set by the contracting authority, the **RUP** was solicited to proceed with the **early execution of the Contract**, as allowed and envisaged by paragraph 8 of the Article 32 of the **Code** and pursuant to Article 19 of the Decree of the Ministry of Infrastructure and Transport 7 March 2019, number 49;

- With the invitation issued by the **RUP** on **March 10th, 2021**, **Hat-Lab Ltd.** (the **Contractor**) has been **invited to join** the “**Early Start of Activities Kick Off Meeting – ESA KOM**”, which has been held today, the 12th of March, 2021

all that being said

the **RUP** introduces the agreed “**ESA KOM**” topics:

- awaiting for the draft contract to be revised, agreed and issued, the today's **ESA KOM** is the actual start of the *supply phase*, namely marks the “**T0**” **timestamp** according to the **PON-OR6-03-SOW**, the “*statement of work*” tender document. The **Contractor** is therefore committed to start working in order to reach the **T1 phase** of the delivery schedule, which is expected to be within **four solar months** from the **T0 time**;
- the **ESA KOM** marks **T0 time** milestone;
- the **Contractor** must be aware that it could take advantage of an **advance payment**, which might be up to the 30 per cent of the contract value. This advance payment can be made against the delivery of a guarantee of the same amount;
- the **Contractor** has been informed that the contract will be written in Italian language, and the draft version will be released for evaluation in days;
- the **Contractor** is aware that a **performance bond** must be available before signing the contract. The expected value of the bond is **€ 33.490,00**;
- the **Contractor** is aware that, pursuant to the art. 34 of the tender specifications, document **PON-OR6-03-TSP** file, it must refund the contracting authority of the call for tender's advertising expenses, which are preliminary estimated to be equal to **€ 8.094,49**;

Hat-Lab Ltd. declares to understand and to agree to the above, furthermore:

- **Hat-Lab Ltd.** will not seek Advance Payment.
- **Hat-Lab Ltd.** will deliver the performance bond prior to signing the contract as a single document for both lots. The overall value will follow the SME (Small and Medium Enterprises) **Code's** regulations, and the final reduced value will be **€ 16.745,00**. With regard to the advertising refund, it is agreed that this issue will be fixed later on.

Early Start of Activities Under Legal Reserve – Formal declaration

The **RUP** *impels* the “early start of activities” (ESA), according to the following constraints:

- The **Parties** are aware that the **executive allotment**, the “*awarding*”, will become active as soon INAF will receive the **antimafia** certificate from the **Home Ministry**.

- **Hat-Lab Ltd.** is aware that **the contract** is written in Italian language, and no English version will be signed. A very preliminary draft version will be sent soon to the contractor for comments / amendments.
- During **ESA** and pursuant to art. 108 of the **Code**, INAF will not be able to sign the contract if the *Antimafia certificate*, which is now under revision by the Italian **Home Ministry**, will be **"positive"**. INAF shall only pay for the work undertaken by the **Contractor** during the ESA, if that work is fulfilled in agreement with the contract regulations.
- **Hat-Lab Ltd.** declares to be informed of all the commitments and obligations assumed during the bid;
- **Hat-Lab Ltd. declares to accept the "early start of activities under legal reserve" ("without prejudice"). The legal reserve shall be dropped once the contract is signed.** This requires, once again, the **performance bond** to be available at the time of signing the contract.

Concluding remarks and topics.

It is agreed that, by signing these minutes:

1. the actual start date of the activities ("T0" time) is today, **12th of March, 2021**.
2. the delivery of the *lot 2 backend*, the **"T1 milestone"**, must be done **not later than the 11th of July, 2021**.
3. the third (last) backend must be at **INAF premises not later than Jan 28th, 2022** (T5 milestone)
4. **INAF** remarks that, *in consideration of the persistent critical situation linked to the Covid-19 emergency, and the potentially connected criticalities of the supply chain and / or the transfer and transport of goods, could discretionally evaluate any deviation (extension) from the delivery terms set.*

This **five-pages composed** minutes were read, confirmed, approved and signed by the attendees.

March 12th, 2021

Ignazio Porceddu – RUP PON OR6-03

Li Qiang – CEO of Hat-Lab Technologies (HK) Ltd.

Giovanni Comoretto – PON OR6 CSO