

Public notice of market survey and expressions of interest

"DISTRIBUTION AND COMMERCIAL PROMOTION SERVICES IN THE BOOKSHOP, LARGE-SCALE RETAIL TRADE, ECOMMERCE AND EDITORIAL WAREHOUSE CHANNELS"

FOREWORD

Rai Com S.p.A., a sole shareholder company, with registered office in Rome, Via Umberto Novaro 18, share capital of Euro 10,320,000 fully paid-up, tax code and VAT no. 12865250158 (hereinafter also referred to as "**Rai Com**") is the company subject to the management and coordination activities carried out by RAI - Radiotelevisione Italiana S.p.A. (headquartered in Rome, Viale Mazzini 14, Tax Code No. 06382641006), whose corporate purpose is, inter alia, the publishing and production of books as well as the opening of publications for the distribution of commercial products in the bookshop channel.

PURPOSE

With the publication of this public notice ("**Notice**"), Rai Com launches a cognitive market survey in order to identify, in compliance with the principles of non-discrimination, equal treatment, proportionality and transparency, the companies to be invited to take part in the competitive comparison aimed at awarding the distribution and commercial promotion services through bookshops, large-scale retail trade, wholesale and e-commerce channels of editorial products (books and occasionally magazines and/or agendas, with inclusions such as DVDs or audio CDs) ("**Services**").

The publication of this Notice is a deed in itself preparatory to the invitation of companies to the competitive comparison. However, as also indicated in the paragraph "Reservations and Clarifications", it does not oblige Rai Com to actually carry out the aforementioned comparison, nor does it entail any right and/or claim for the companies to enter into contracts with Rai Com and/or any further future awarding procedures.

RESERVATIONS AND CLARIFICATIONS

This Notice does not constitute an invitation to offer, nor an offer to the public, pursuant to art. 1336 of the Italian Civil Code, nor a promise to the public, pursuant to art. 1989 of the Italian Civil Code, but a simple request to formulate an expression of interest, which shall not in any case be considered binding in any way for Rai Com.

Rai Com reserves as of now the right to proceed even in the presence of only one expression of interest or identifying further competitors also drawing on the RAI Suppliers' Register.

Rai Com reserves the right, in any case, not to proceed with the subsequent call for competition or to initiate a different comparison and/or to suspend, modify or cancel, in whole or in part, this market survey at any time: in such cases, the companies that have expressed interest shall not be able to claim any legitimate expectation or claim, for any reason whatsoever, against Rai Com.

No reimbursement is due for the submission of expressions of interest, even if there is no subsequent competitive comparison.

PARTICIPATION REQUIREMENTS

Companies wishing to submit their expression of interest must meet the following requirements:

- not be registered in the electronic register kept by the observatory of the National Anti-Corruption Authority (ANAC) and/or by another authority set up for this purpose in their State of origin for having submitted false declarations or false documentation in tender

procedures and in the awarding of subcontracts, or that however the effectiveness period of the registration has expired;

- the company and the persons composing it must not be present in, and must not be part of, organisations on the reference lists relating to the financial fight against terrorism (published by the Financial Intelligence Unit competent in relation to the State to which they belong);
- be in possession of all the technical-professional suitability requirements provided for by the occupational safety regulations in force in the country of origin;
- comply with national as well as regional, territorial or company collective agreements and contracts, where signed, concluded by the most representative employers' and employees' trade unions at national level;
- comply with all insurance, social security and welfare obligations under the relevant regulations in force;
- Availability of promotional network of a minimum of twelve promoters to put into promotion activities as better indicated in the Technical Specifications (Annex 2 to this Notice);
- Availability of an expert resource for the e-commerce channel for the on-line distribution of book binding products as better indicated in the Technical Specifications;
- Availability of one resource to dedicate to large management customers with purchasing centres.

It is understood that the submission of expressions of interest does not constitute proof of possession of the requirements for the award.

Possession of the self-declared requirements must be confirmed and supplemented at the time of participation in the comparison and will however be subject to verification by Rai Com.

DESCRIPTION OF THE SERVICES

As part of its activities, Rai Com needs of:

- distribution service and optional ancillary services;
- promotion activities and ancillary services.

In the Technical Specifications herein attached the characteristics of the service are indicated in details.

DURATION

The duration of the Services and, therefore, of the relevant agreement with the selected supplier shall be 24 (twenty-four) months and shall be tacitly extended for the following 24 (twenty-four) months, unless terminated by either party no later than 180 (one hundred and eighty) days prior to the expiry date of the contract.

In the course of its execution, the agreement may be extended by a further six (6) months for the purpose of concluding competitive comparisons aimed at identifying the new supplier.

ESTIMATED TOTAL VALUE OF THE SERVICES

The total estimated value of the Services calculated for the entire duration of the contract (and its possible tacit renewal), is equal to Euro 1,200,000.00 (one million two hundred thousand/00) plus VAT, i.e. equal to Euro 300,000.00 (three hundred thousand/00) for each year of the duration of the contract.

The aforementioned value is to be understood as all-inclusive and therefore complete of all charges due to meet the requirements of the technical specifications in compliance with the relevant regulations in force.

SUBCONTRACTING

Subcontracting for the performance of Services shall be allowed subject to Rai Com's prior authorisation and provided that the services or parts of services to be subcontracted or the percentage of the contract to be performed by the individual subcontractors are indicated at the time of application. In the absence of such an indication, the use of subcontracting will not be permitted.

AWARD CRITERION

The contract will be awarded on the basis of the lowest price. Companies will be asked to apply the discount to specific "fees" (cover price net turnover made) and according to terms and methods that will be better indicated in the documentation that shall be sent for the competitive comparison.

DEADLINE FOR THE SUBMISSION OF EXPRESSIONS OF INTEREST

The closing date for the submission of expressions of interest is 20.04.2023 at 11.00 AM.

Once the deadline has passed, no other expression of interest will be considered valid, even if it replaces or adds to a previously submitted expression of interest.

In the event that an expression of interest is sent by the same party in replacement or correction or addition of a previous expression of interest that is not compliant, the day and time of receipt of the last expression sent shall be deemed to be the day and time of receipt.

DEADLINE FOR REQUESTS FOR CLARIFICATION

Any requests for clarification concerning this notice may be sent no later than 11.00 AM of 11.04.2023 in written form and in Italian language, by electronic mail (e-mail) to: quesiti.acquistiraicommerciale@rai.it.

Replies to clarifications will be sent by e-mail no later than 14.04.2023.

HOW TO SEND EXPRESSIONS OF INTEREST

Expressions of interest, formulated using the Declaration Form (Annex 1 to this Notice) must be signed by the legal representative or the competent corporate attorney, whose scanned copy of a valid identity document must be annexed. Expressions of interest should be sent exclusively to the following certified e-mail (PEC): acquisti.raicom@postacertificata.rai.it. or, in case of foreign companies, by registered mail with return receipt to the following address: Rai Com S.p.A., Via Umberto Novaro n. 18 – 00195 Roma (Italy)

When sending the expression of interest, the interested party must absolutely indicate the following subject in the P.E.C. message: "EXPRESSION OF INTEREST FOR THE AWARDED OF DISTRIBUTION AND SALES PROMOTION SERVICES IN THE BOOKSHOP, LARGE-SCALE RETAIL TRADE, ECOMMERCE AND EDITORIAL WAREHOUSE CHANNELS".

Timely delivery of the expression of interest remains at the sender's sole risk. Rai Com disclaims all liability for the non-arrival, by the deadline, of the expression of interest.

Expressions of interest will not be considered admissible if all the above-mentioned submission modalities are not respected.

Since this is a market survey aimed at identifying economic operators interested in taking part in the above-mentioned competition, **no tenders should be submitted at this stage**, but only expressions of interest, according to the application form annexed to this notice.

PROCESSING OF PERSONAL DATA

Pursuant to EU Regulation no. 2016/679 and the Italian legislation in force (Legislative Decree 196/2003 as amended by Legislative Decree no. 101/2018), please note that the personal data declared by each competitor will be processed by Rai Com, as data controller, with the purpose of allowing the verification of the eligibility of the competitors to participate in the possible competitive comparison. For further details on the information concerning processing, please refer to the "Information for Suppliers" available on the Rai Com website at the following link: <http://www.raicom.rai.it//privacy-policy/>.

CODE OF ETHICS AND ORGANISATIONAL MODEL PURSUANT TO LEGISLATIVE DECREE 231/01 AND ANTI-CORRUPTION LEGISLATION

This notice is published in full compliance with the Code of Ethics and the Organisational Model pursuant to Legislative Decree no. 231/01 adopted by Rai Com in accordance with the regulations in force rendered and available on the website www.raicom.rai.it in the section "The Company" - "Articles of Association and regulations".

Annexes:

- 1 - Declaration Form
- 2 - Technical Specifications