Workshops on Framework Agreements for products
Session 3 - Experiences in setting up Framework agreements for products

“Setting up a framework agreement - from strategy to order management“
Luca Mastrogregori, Head of e-Procurement services strategies and management - Consip Spa

Athens, June 3-4 2014
Agenda

Consip’s Activities as a CPB

• Acting in a complex scenario
• A comprehensive eProcurement system: one tool does not fit all
• FA positioning in a “multiple tool” procurement strategy

Setting up a single supplier Framework Agreement

• Process and involved actors
• A single supplier Framework Agreement for Food products
The Italian Public Procurement Context

ITALY
- Population: ca 60 mln
- PA employees: 3.400.000
- Contracting Authorities: 32.000
- Overall n. contracts: ca. 1500K (85% below EU threshold)
- ca. €90 bln expenditure on G&S in 2013

CENTRAL PA
- Ministries: 15
- ca. 20 Central Governing Bodies

LOCAL PA
- Regions: 20
- Municipalities: 8.101
- School system: 94 Univ. >10.000 Schools
- Health Sector: >300

INDUSTRY
- > 4.000.000 Enterprises: 98% SMEs
The Italian Public Procurement Context: local procurement bodies

- **Regional CPB**
  - Agenzia Provinciale per gli Appalti e i Contratti (Trento)
  - Agenzia regionale centrale acquisti
  - ASL Unica
  - SCR Piemonte
  - ASUR
  - Umbria Salute
  - SUAM
  - ASREM
  - Empulia
  - Società Energetica Lucana (SEL)
  - Dipartimento interaziendale "Centrale di Committenza« c/o Osp San Carlo (PT)
  - SUA – Stazione Unica Appaltante

- **Healthcare procurement aggregating bodies**
  - Centro Regionale Acquisti Sanità
  - ASL Unica
  - Centro Regionale Acquisti Sanità
  - Centro Regionale Acquisti Sanità

- **Other local procurement aggregating bodies**
  - ESTAV (Centro, Nord-Ovest, Sud-est)
  - DG Organizzazione – Settore Contratti
  - CAT Sardegna
  - CCIAA di Palermo
  - Agenzia Provinciale per gli Appalti e i Contratti (Trento)
  - Azienda Provinciale per i Servizi Sanitari (Trento)
  - Dipartimento Servizi Condivisi dell'Azienda Ospedaliero-University S. Maria della Misericordia (funzioni ex CSC)
  - Intercenter
  - DG Organizzazione – Settore Contratti
  - Direzione Regionale Centrale Acquisti
  - So.Re.Sa.
  - Società Energetica Lucana (SEL)
  - Dipartimento interaziendale "Centrale di Committenza« c/o Osp San Carlo (PT)
  - SUA – Stazione Unica Appaltante
  - Agenzia Provinciale per gli Appalti e i Contratti (Trento)

**Classification:** Consip public
Consip - The Italian CPB: main activities

1. Implementation of the Programme for the rationalization of public spending on G&S
   CENTRAL PROCUREMENT

2. Support to individual administrations
   VERTICAL PROCUREMENT

3. Respond to specific tasks assigned by law such as the Digital Administration
   OTHER AREAS
Consip as a CPB plays two different roles: CA and Market Maker

**CA**
- Framework Contracts
- Framework Agreements

**MARKET MAKER**
- MEPA
- DPS

### Above/Below OJEU Threshold
- Below OJEU threshold
- Above/Below OJEU

#### LEGAL OBLIGATIONS

- **Consip as a CPB**
  - Mandatory for Central PA
  - Mandatory for Local PA below/above OJEU to use Consip or Regional CPB
  - Mandatory for Health to use Consip or Regional CPB

- **Market Maker**
  - Mandatory for Central PA
  - Mandatory for Local PA below OJEU threshold

- **MEPA**
  - Mandatory for Central PA

- **DPS**
  - Mandatory for Health to use Consip or Regional CPB electronic platforms
Consip’s eProcurement System

E-Procurement portal - www.acquistinretelepa.it

Negotiation services

2000

E-Shops (FC)
- Purchases within frame contracts
  - Large volumes
  - Demand aggregation
  - Standardized goods
  - Low price volatility

On line tenders
- Frame contracts or ASP
  - Large volumes
  - Demand aggregation
  - Standard /Specialized goods
  - High price volatility

2002

Direct order or RFQ
- Low cost goods
- Spot purchasing
- Highly fragmented offer
- ecatalogue

2004

e-Marketplace -MEPA

2010/2012

FAs and DPS
- On-line tenders in a structured and managed environment (two-stage procedures)
- Standardised procedures for commonly used goods & services with customisation

Above and Below EU Threshold

Above and Below

CRM System

DWH System

Classification: Consip public
Choosing the appropriate e-Proc tool

**Buy side**

- Customised
- Standard

**Supply side**

- Concentrated
- Standardized
- Fragmented
- Specialised

- **The adoption of different tools is related to the market (buy and supply side) characteristics**
- **Wider offering of e-Proc tools**
- **More business opportunities for SME’s trough e-procurement**

The adoption of different tools is related to the market (buy and supply side) characteristics.

Wider offering of e-Proc tools.

More business opportunities for SME’s through e-procurement.
New e-Proc tools adoption calls for a strategic change in Consip’s role and capabilities.
The PA Marketplace: eproc below the threshold

<table>
<thead>
<tr>
<th>Category</th>
<th>Items</th>
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<tbody>
<tr>
<td>Furnitures</td>
<td>IT HW and SW</td>
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<tr>
<td>Stationery</td>
<td>Surgical instruments</td>
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<tr>
<td>Individual protection devices</td>
<td>Electric maint. svcs</td>
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<tr>
<td>Elevators maint. svcs</td>
<td>Training &amp; Education svcs</td>
</tr>
<tr>
<td>Gas providing svcs</td>
<td>Electric material and air condit. equip.</td>
</tr>
<tr>
<td>Cleaning products</td>
<td>Print &amp; Copy equipment</td>
</tr>
<tr>
<td>Laboratory equipment</td>
<td>TLC products</td>
</tr>
<tr>
<td>Office and road signals</td>
<td>Office cleaning svcs</td>
</tr>
</tbody>
</table>

- **21,000 suppliers**
- **28,000 ecatalogues**
- **3,000,000 catalogue items**
DPS - DYNAMIC PURCHASING SYSTEM

art 1.6 and 33 - EU Directive 18/2004

**DPS:** a completely electronic procedure, limited in duration (< 4 years), open throughout its validity to any economic operator which satisfies the selection criteria.

The Italian law completely transposed the text of EU Directive 18/2004:

- each CA can implement a Dynamic Purchasing system
- Consip is allowed to set up a DPS available to all public administrations

Consip has set up the following DPS up to date:

1. **DPS on pharmaceutical products**
2. **DPS on ICT: hardware and software and ICT services**
3. **DPS on antiseptic and disinfectant products**
4. **DPS on food products and disposable materials for catering services**
5. **DPS on assistive products for persons with disability**
two-phase-process: duration and characteristics are set up in the design phase

**PHASE 1**

1. **DPS definition and activation**
2. **Application to the DPS**
3. **Applications and renewal management and 2nd phase setting up**

**DSP creation**

**PHASE 2**

4. **Simplified contract notice creation / publication**
5. **Tender formulation and submission**
6. **Simplified call contract award**
On October 2011 Consip published the Institutional call notice, that defined: product category as “pharmaceutical products” (medicines, infusion solutions, blood products, vaccines ..), according to the annual national value of pharmaceutical expenditure (almost 8 billion €).

Consip provides support to the single CA by setting up:

**product characteristics** - medical products are defined using 4 characteristics:
- ATC codes (Anatomical Therapeutic Chemical classification system)
- active ingredients
- form
- dose

**negotiation model** based on the lowest price award criteria.

**standard documentation** (procurement documentation) in order to facilitate CAs to publish and manage the specific procedures.

Some results (so far):
- **18** tenders issued
- **3.8** billion euros of tender value
<table>
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<tr>
<th>FRAMEWORK AGREEMENTS</th>
<th>IT</th>
<th>TLC</th>
<th>ENERGY</th>
<th>REAL ESTATE</th>
<th>HEALTH</th>
<th>OTHER G&amp;S</th>
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</thead>
<tbody>
<tr>
<td>1 supplier</td>
<td>Desktop PC</td>
<td>Local area network</td>
<td>Wholesale fuel &amp; heating oil</td>
<td>Office Facility management</td>
<td>Telepathology devices</td>
<td>Car rental</td>
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<tr>
<td>Complete (all terms fixed)</td>
<td>Notebook</td>
<td>Telephony and IP connectivity</td>
<td>Fuel card</td>
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<td>Medical equipment maintenance</td>
<td>Car purchase</td>
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<td></td>
<td>Copying machine</td>
<td>Mobile phones</td>
<td>Fuel voucher</td>
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<td>Ticket restaurant</td>
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<td></td>
<td>IBM Passport License</td>
<td>Central telephone exchange devices</td>
<td>Electricity</td>
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<td>Credit card</td>
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<td></td>
<td>Microsoft Government Open License</td>
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<td>Natural gas</td>
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<td>Oracle License</td>
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<td>Energy related services</td>
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<td>Safety management</td>
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<td></td>
<td>Microsoft Enterprise Agreement</td>
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<td>Lighting</td>
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<td>Cleaning services for school</td>
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<td>PURCHASING TOOL</td>
<td>MACRO PRODUCT CATEGORY</td>
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<td>ENERGY</td>
<td>REAL ESTATE</td>
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<td>OTHER G&amp;S</td>
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<tr>
<td>• Several suppliers</td>
<td>• Server blade</td>
<td>• Contact center services outsourced</td>
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<td>• Travel &amp; accommodation</td>
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<tr>
<td>• Incomplete (not all terms fixed)</td>
<td>• Desktop Outsourcing</td>
<td>• Print &amp; copy management</td>
<td>• Services for open source server operating systems</td>
<td>• Application services</td>
<td>• System management</td>
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</tbody>
</table>
Consip’s Framework Contracts - 2013 results

- Consip’s framework contracts’ turn over in 2013 corresponds to about 2.5 billion euro

- Consip managed 54 framework contracts

- The most important framework contracts, in terms of total expenditure in €, are electricity, fuel and heat, facility management, meal vouchers

- Contracts num. > 83,000
- Active buyers > 15,000
Framework Agreements

A FA is “an agreement between one or more contracting authorities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period.”

**Kinds of FA**

- **1 supplier**
  - Complete (all terms fixed)

- **Several suppliers**
  - Complete (all terms fixed)

- **2-stage**: competition shall be reopened

Where a FA is concluded with only one economic operator and all the terms of the contracts are laid down in the FA (“complete” FA), specific contracts can be awarded.
Framework Contracts - the advantages

The main advantages for the Public Administration entities that order:

- **The simplification** or the purchasing process, with a drastic reduction of both costs and procurement time (no legal tender to perform) and greater transparency

- Better *supply quality*, whether product or service

- **Real competition** between suppliers favored by the collaboration of the Authorities

- Reduction of *Legal Costs* tied to procedure litigation, which are payed for by Consip

- The possibility to *free up resources* dedicated to the procurement process and direct them to other activities

- The opportunity to contribute to a “green public procurement” project

- Greater *expense control* through purchasing reports, even if done by non-centrally located offices
Framework Contracts

Framework Contracts are awarded - through Consip - by the Ministry of Economy and Finance after either a traditional paper-based tender or an on-line economic and technical evaluation. Both these procedures allow the Public Administration to purchase goods and services while offering suppliers an opportunity to satisfy public demand, guaranteeing competition and transparency.

Each framework contract has certain parameters that are intrinsic to its structure:

- The main good or service awarded
- Order data for central Datawarehouse
- Supplier-side reference point
- Shipping or delivery terms and conditions
- Framework contract duration
- The duration of the single contract between P.A. and supplier
- Maximum allowed quantities and good/service characteristics
Framework Contracts - the model

Public Procurement Model

Consip

Suppliers

Frame contracts

Contracts Reporting

Monitoring Tools

Needs Feedback

PP.AA.

On-line

Delivery

Payments
Framework Contracts - the phases

Feasibility study and definition of procurement strategy
- Open consultation with relevant market
- Demand analysis and market analysis
- Opportunity identification and Feasibility Study deliverable
- Economic design of the tender
- Procurement strategy deliverable

Supplier selection and contract award
- Tender documentation deliverable
- Authority opinion acquisition
- Tender documentation publication
- Framework Contract signing

Framework Contract management
- Support to administrations during purchasing phases
- Tracking of orders issued and remaining product/service availability
- Contract unit/quantity/time extension (if necessary)

Service level monitoring
- Service level inspection
- Surveys analysis
- Complaint analysis
- Corrective measures

Multistakeholder decision process
- Account Management
- Legal Department
- Sourcing
- Research Unit (R&D)
- Strategic Marketing
- Supply Monitoring Unit
- GPP

Classification: Consip public
### Phase 1 - Feasibility study and definition of procurement strategy

**Fase 1: Predisposizione strategia di gara e autorizzazione**

<table>
<thead>
<tr>
<th>Descrizione attività</th>
<th>Programmazione e Monitoraggio</th>
<th>Sourcing</th>
<th>Direttore DAPA</th>
<th>Organo Deliberante</th>
</tr>
</thead>
<tbody>
<tr>
<td>AVVIO TEAM DI LAVORO</td>
<td>Avvio team di lavoro</td>
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<tr>
<td>Il Sourcing (ovvero il Category Manager) avvia il team di lavoro per la singola iniziativa. Il Team dovrà essere composto dai rappresentanti delle Aree coinvolte nel processo.</td>
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<tr>
<td>ANALISI CONTESTO E DEFINIZIONE OBIETTIVI DELL'INIZIATIVA</td>
<td>Analisi contesto e definizione obiettivi dell'iniziativa e ne definisce gli obiettivi</td>
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<tr>
<td>L'area Programmazione e Monitoraggio fornisce al Sourcing, con il supporto dei Mercati e delle Strategie Innovative di Acquisto (Marketing Operativo), la relazione di analisi della domanda.</td>
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<tr>
<td>PREDISPOSIZIONE DOCUMENTO STRATEGIA DI GARA</td>
<td>Predisposizione Proposta Strategia di gara</td>
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<tr>
<td>Il Sourcing predispone il documento di Proposta di Strategia di gara con il supporto della Direzione Legale, dei Mercati, dell'area Research &amp; Development (Ufficio Studi), dell'area Programmazione e Monitoraggio, dell'area Strategie Innovative di Acquisto (E-proc) e - in caso di iniziative impattate dal GPP - della funzione GPP.</td>
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<tr>
<td>CONDIVISIONE STRATEGIA DI GARA</td>
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<td>Condivisione Strategia di gara</td>
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<tr>
<td>Il Direttore DAPA, a seguito della condivisione da parte degli attori coinvolti, firma e invia la Strategia di gara all'Organo deliberante per l'approvazione</td>
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<td>Proposta di Strategia di gara</td>
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<td>Fase 2</td>
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**Diagramma di Flusso:**

1. **Piano Annuale delle Attività**
2. **Avvio team di lavoro**
3. **Analisi contesto e definizione obiettivi dell'iniziativa**
4. **Analisi della domanda**
5. **Relazione analisi della domanda**
6. **Predisposizione Proposta Strategia di gara**
7. **Condivisione Strategia di gara**
8. **Proposta di Strategia di gara**
9. **Approvazione**

**Processo di Sviluppo e Gestione di una Convenzione (modalità ammettute):**

Classification: Consip public
# Phase 2 - Supplier selection and contract award

## Tender doc publication

<table>
<thead>
<tr>
<th>Sourcing</th>
<th>Legal</th>
<th>R&amp;D</th>
<th>E-proc</th>
<th>Tender Admin</th>
<th>CEO</th>
</tr>
</thead>
</table>

## Process Diagram

1. **STESURA DOCUMENTAZIONE**
   - **Sourcing:** Il Sourcing, supportato dalla DL e dall’area R&D per gli aspetti di competenza, predispone il capitolo tecnico, il disciplinare e il bando, utilizzando gli standard predisposti dalla DL.
   - **Assistenza legale DAPA:** Revisione delle formulazione di aggiudicazione.
   - **Legal:** Eventuale richiesta parere a DIGITPA e/o attivazione MEF per parere AGCM.
   - **R&D:** Il Sourcing, in base ai presupposti, richiede il parere di DigitPA e/o attivazione MEF.
   - **E-proc:** Affinché richieda il parere all’AGCM.
   - **Legal:** Consolida il documento e approva.

2. **CONSOLIDAMENTO DOCUMENTAZIONE E APPROVAZIONE**
   - **Legal:** Eventuale richiesta parere a DIGITPA e/o attivazione MEF per parere AGCM.
   - **Sourcing:** Il Sourcing provvede al supporto della DL al consolidoamento della documentazione di gara. La suddezza viene quindi sottoposta all’approvazione dell’AD.

3. **PREDISPOSIZIONE DELLA PIattaforma**
   - **R&D:** L’Area Strategie Innovativi di Acquisto (E-proc) predispone con il supporto del Sourcing, la piattaforma per la presentazione delle offerte INVIO DOCUMENTAZIONE PER PUBBLICAZIONE IN GURI, GIUSE, GIORNALI E SITI.
   - **E-proc:** L’UTG invia la documentazione per pubblicazione in GURI, GIUSE, giornali e siti Consip, MEF e Acquisti PA.
   - **Sourcing:** Gestione chiamamenti ai fornitori.

4. **PROCEDESSE DI SVILUPPO E GESTIONE DI UNA CONVENZIONE**
Phase 2 - Supplier selection and contract award

Tender evaluation and award

<table>
<thead>
<tr>
<th>Description</th>
<th>Sourcing</th>
<th>Commission di giudicazione</th>
<th>RdP</th>
<th>UTG</th>
<th>AD</th>
<th>Organ Deliberante</th>
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<td>Verifica Requisiti, Lavori di Commissione, Proposte di Esclusione</td>
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<td>Predisposizione relazione con proposta di aggiudicazione</td>
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<td>Aggiudicazione definitiva efficace</td>
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Fase 2 - Tender evaluation and award

- Sourcing
- Tender Comm.
- Process Resp.
- Tender Admin
- CEO
- Board

Processo di Sviluppo e Gestione di una Convenzione (modalità materialezza)
**Phase 3/4 - FA Management and monitoring**

### Planning
- Sourcing
- Accounting
- IT
- E-proc
- Director
- CEO

### Description of Activities

<table>
<thead>
<tr>
<th>Description</th>
<th>Program and Monitoring</th>
<th>Sourcing</th>
<th>Markets</th>
<th>Management Information Systems Acquisitions PA</th>
<th>Acquisition Strategies</th>
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</tbody>
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**Process of Development and Management of a Contract (modalità ammministrativa)**
### Food products Single supplier FA - Main characteristics

<table>
<thead>
<tr>
<th><strong>FA object</strong></th>
<th>Food products for PAs - 35 Product classes - 160 Product categories - 700+ products (bio included)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Awarding procedure</strong></td>
<td>Open tender - Digital procedure</td>
</tr>
<tr>
<td><strong>Contract value</strong></td>
<td>Maximum total value 80 mio €,</td>
</tr>
<tr>
<td><strong>Number of lots</strong></td>
<td>11 geographical lots</td>
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</tbody>
</table>
| **Awarding Criteria** | **MEAT:**  
  Price: 80 pts (Price weighted average)  
  Quality: 20 pts (Objective characteristics - no discretion judgement) |
| **Participation requisites** | **Financial:** Specific turnover  
  **Technical:** EN ISO 9001 certification |
# Food products Single supplier FA - Main characteristics

<table>
<thead>
<tr>
<th>FA Duration</th>
<th>12 months + 12 (under specific conditions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Specific contracts duration</td>
<td>12 months</td>
</tr>
<tr>
<td>FA activation date</td>
<td>30/11/2012</td>
</tr>
<tr>
<td>FA expiration date</td>
<td>01/04/2014</td>
</tr>
<tr>
<td>Services</td>
<td>• Logistic organisation and Shipment planning</td>
</tr>
<tr>
<td></td>
<td>• Shipment</td>
</tr>
<tr>
<td></td>
<td>• Quality controls</td>
</tr>
<tr>
<td></td>
<td>• Reporting</td>
</tr>
<tr>
<td></td>
<td>• Call Center</td>
</tr>
</tbody>
</table>
Food products Single supplier FA - Main characteristics

Lots distribution

Lots definition criteria

• Suppliers distribution
• PA needs
• Road infrastructure availability and characteristics

<table>
<thead>
<tr>
<th>Lot</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lotto 1</td>
<td>11.0 mio €</td>
</tr>
<tr>
<td>Lotto 2</td>
<td>4.5 mio €</td>
</tr>
<tr>
<td>Lotto 3</td>
<td>13.0 mio €</td>
</tr>
<tr>
<td>Lotto 4</td>
<td>5.0 mio €</td>
</tr>
<tr>
<td>Lotto 5</td>
<td>6.5 mio €</td>
</tr>
<tr>
<td>Lotto 6</td>
<td>7.0 mio €</td>
</tr>
<tr>
<td>Lotto 7</td>
<td>6.5 mio €</td>
</tr>
<tr>
<td>Lotto 8</td>
<td>6.5 mio €</td>
</tr>
<tr>
<td>Lotto 9</td>
<td>9.0 mio €</td>
</tr>
<tr>
<td>Lotto 10</td>
<td>6.0 mio €</td>
</tr>
<tr>
<td>Lotto 11</td>
<td>5.0 mio €</td>
</tr>
</tbody>
</table>

Classification: Consip public
DWH - a monitoring system for Public e-Procurement

• To have a certified point of reference as required by law (compliance)

• To improve and measure results against goals

• To understand, improve decision making and support management

• Decrease IT and human resources information production costs, through tools and best practices
Monitoring Parameters

Information related to purchasing using the e-procurement platform:

- Who buys
- Who sells
- What
- When
- Where
- Which tools used
- How
- How much

Since 2000 DW system has traced:
- 26,862 billions euro value
- 1,986,433 transactions
- 79,508 active users
- 106,565 overall number of registered users
The CRM System - Users support for e-ublic Procurement

Overall number of service requests managed since 2005: 1,018,000

Front Office
- 72 persons
- 36 FTE

CRM System

1 Back Office
Consip

Account/Category
Technical support
legal
The e-Procurement System: some figures

Overall number registrations (apr 2014): 106.565

<table>
<thead>
<tr>
<th>Framework contracts</th>
<th>Marketplace</th>
<th>CRM</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Framework Contracts: 269</td>
<td>• Published notices: 26</td>
<td>• Service request: 1,018,871</td>
</tr>
<tr>
<td>• Lots: 2,327</td>
<td>• Registered Suppliers: 19,670</td>
<td>• Survey: 126</td>
</tr>
<tr>
<td>• Suppliers: 313</td>
<td>• Transactions: 942,174</td>
<td></td>
</tr>
<tr>
<td>• Transactions: 1,044,260</td>
<td>• Trans. value: 2,751 mln</td>
<td></td>
</tr>
<tr>
<td>• Trans. value: 24,11 billion euro</td>
<td>• Registered users: 51,354</td>
<td></td>
</tr>
<tr>
<td>• Active users: 64,146</td>
<td>• Active users: 37,300</td>
<td></td>
</tr>
</tbody>
</table>

Accumulated data since 2000
Last update April 2014

Accumulated data since 2003
Last update May 2014

Accumulated data since 2005
Last update May 2014

Since 2000 DW system has traced:
• 26,862 billions euro value
• 1,986,433 transactions
• 79,508 active users