



SEGRETERIA DI STATO
INDUSTRIA ARTIGIANATO
E COMMERCIO



SEGRETERIA DI STATO
PER IL TERRITORIO



SEGRETERIA DI STATO
PER IL LAVORO E
I RAPPORTI CON L'AASS

INTERNATIONAL EXPLORATORY NOTICE FOR THE COLLECTION OF EXPRESSIONS OF INTEREST FOR THE IMPLEMENTATION OF ENERGY EFFICIENCY PROJECTS IN THE REPUBLIC OF SAN MARINO

The Minister of Territory and Environment, Agriculture and Relations with the Public Works Autonomous State Corporation (hereinafter AASLP), the Minister of Labour, Sport and Relations with the Public Utilities Autonomous State Corporation (hereinafter AASS), and the Minister of Industry, Handicraft and Trade, enforcing Congress of State Decision no. 29 of 3 April 2023,

WHEREAS

- The Republic of San Marino aims at becoming the first totally green State in the world in terms of energy supply by exploiting all possible energy components such as photovoltaic, hydroelectric and wind power;
- In order to pursue the above objective, the Republic of San Marino intends to adopt energy policies and measures, in a long-term vision from both an economic-financial and infrastructural point of view, aimed at achieving a stable coverage of the State's electricity needs, by drawing on renewable energy sources produced also through photovoltaic systems installed on State-owned roofs;
- A partnership between AASS and companies operating in the energy sector shall be established for the development and implementation of the project covered by this international Notice;
- The launch of the above project, through a synergy between public and private sectors under the terms set forth in this Notice, will enable to pursue the energy efficiency of the Republic of San Marino without resorting to public debt, with a view to concretely developing the first energy community at a national level;
- Only a strategic collaboration between AASS and companies professionally recognised at an international level will enable to implement the project covered by this public Notice;

ANNOUNCE

Their intention to start searching, through this international Notice, (hereinafter also Notice), for expressions of interest for the implementation of the project covered by this Notice aimed at energy efficiency in the Republic of San Marino.

This Notice shall constitute a public procedure in compliance with the principles of transparency, publicity, equal treatment, impartiality, proportionality and cost-effectiveness.

The outcome of this Notice shall only serve to initiate, on the basis of the unchallengeable assessments of the Congress of State, private negotiations with the parties that have expressed their interest in developing the project under the terms of this Notice.



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PURPOSE OF THE NOTICE

The purpose of this Notice shall be to collect expressions of interest in order to identify companies professionally recognised at an international level, which are suitable and potentially interested in the implementation of a national energy community system; the first step would be the installation, through the company's own capital, of photovoltaic systems on State-owned roofs, and the establishment of a partnership with AASS, for the purpose of transferring the electricity produced to the latter, in accordance with the terms of this Notice.

This Notice shall not entail a right to negotiate; therefore the expressions of interest received shall in no way be binding on the Congress of State, which remains free, at its sole discretion, to discontinue, modify or revoke this Notice. The parties that express their interest shall have no right or claim to compensation, indemnity or reimbursement of any costs and expenses incurred by themselves and their successors in title for participation in this public procedure.

GRANTING OF THE RIGHT TO USE ROOFS OF PUBLIC BUILDINGS

This project shall envisage the granting by the State of the right to use public roofs to be identified for the installation of photovoltaic systems.

The terms of the contract granting the right to use roofs, which may be concluded following subsequent specific negotiations, shall be defined by agreement between the parties.

The Ministries announce that, in return for the requested intervention to install photovoltaic systems, the identified surfaces will be granted for exclusive use for the entire duration of the contract, without any concession fee being paid.

The granting of the right to use the surfaces shall be decided by the Honourable Congress of State.

Following the aforementioned decision, the contract granting the right to use the roofs shall be concluded between the State and the company concerned.

MAIN TERMS OF THE FUTURE CONTRACT GRANTING THE RIGHT TO USE THE ROOFS

Hereunder are some of the main conditions of the contract granting the right to use the roofs that may possibly be concluded upon completion of subsequent specific negotiations. These conditions may be subject to possible changes.

DURATION: in order to ensure the achievement of the economic-financial balance of the investment, the duration of the contract granting the right to use the roofs shall be agreed between the parties, in subsequent negotiations, depending on the actual value of the investment. The contract shall run from the date on which the authorisations necessary for the installation of the photovoltaic systems are issued or, if later, from the date of completion of the last maintenance works necessary to start installing the systems. The duration of the contract granting the right to use the roofs may be extended by the granting party, following negotiations between the parties and upon authorisation by the competent bodies.



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CONDITION OF THE SURFACES CONCERNED - MAINTENANCE: The surfaces concerned shall be provided to the concessionaire in a suitable condition to allow the immediate installation of photovoltaic systems by the concessionaire.

AASLP shall be responsible for any waterproofing of the surfaces and any other maintenance activities necessary and preparatory to the installation of the photovoltaic systems, as well as any other construction activities necessary to maintain the surfaces in a suitable condition to accommodate the aforesaid systems. All costs related to the aforementioned activities shall be borne by AASLP, with the exception of cases in which the non-optimal conditions of the surfaces concerned are due to errors in the installation of the systems or poor maintenance thereof.

The costs necessary for the connection of the systems shall be borne by AASS.

TERMINATION OF THE CONCESSION: Upon termination of the concession, the installed photovoltaic systems shall remain the full and exclusive property of the State of San Marino, without any charge, compensation or anything else being paid to the concessionaire.

SURRENDER OPTION: A surrender option for the photovoltaic systems may be envisaged, taking into account the duration of the investment covered by the contract.

ESTABLISHMENT OF A PARTNERSHIP WITH AASS

The project envisages the establishment of a partnership between the company concerned and AASS, which will act as a coordination body for the relations with the State, as owner of the surfaces concerned.

The mutual terms of the partnership, to be formalised in a subsequent contract, shall be identified during the negotiations.

The contract shall provide for the commitment by the company concerned to cooperate with San Marino companies eligible to perform services falling within the scope of the identified energy efficiency project, if present in the territory. These San Marino companies shall be involved in the performance of parts of the work and in the supply of materials, under the supervision of AASS.

ALTERNATIVE BIDS

Bids that provide for different forms of agreement between the company concerned, on the one hand, and the State and AASS, on the other, may be considered for the purposes of the subsequent negotiations, without prejudice to the availability of the identified public surfaces as a necessary and indispensable element for the development and implementation of the project.

ADDRESSEES

This Notice shall be addressed to legal persons, including international groups, with proven experience of more than ten years in the renewable energy sector, with particular reference to energy efficiency projects with a high environmental impact, which are not in a situation leading to the loss or suspension of their capacity to negotiate with the Public Administration.



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INSPECTIONS AND REQUESTS FOR INFORMATION

Parties expressing their interest may request to inspect the areas concerned in accordance with the time frames and operating procedures to be agreed with the Ministries, in consultation with the competent Offices/Bodies.

All requests for information and clarifications may be addressed to the Ministry of Territory, Environment and Agriculture (info.territorio@gov.sm) within 5 working days prior to the deadline for the submission of expressions of interest. The Ministry receiving requests for clarifications shall be responsible for informing the other Ministries involved in the publication of this Notice.

INSTRUCTIONS AND DEADLINE FOR THE SUBMISSION OF EXPRESSIONS OF INTEREST

Expressions of interest for the development and implementation of the project referred to in this Notice shall be submitted by compiling the appropriate form "Expression of Interest" (**Annex A**).

The following documents shall be compulsorily attached to the above form, duly compiled in all its parts:

- a) a photocopy of the signatory's identity document and the certificate of incorporation with a list of the shareholders;
- b) a descriptive report in which the party expressing interest shall indicate: direct proven experience of more than ten years in the renewable energy sector, with particular reference to energy efficiency projects with a high environmental and economic impact and to any experiences similar to those referred to in this Notice (maximum 20 A4 pages, Times 12 font, type 1 line spacing; photographs and tables are also accepted, always within the maximum 20 pages). Proven experience of more than ten years shall be documented through certificates, attestations or documents from which this information can be obtained.

The expression of interest and the above-mentioned documents must be received no later than **12.00 p.m. on Monday 19 June 2023** through:

- Electronic registered mail to the following address:
 - re.segreteria.territorio@gov.sm if the bid is sent by Tnotice;
 - 4827.sm@pec.tnotice.com if the bid is sent by PEC.

The subject of the message must bear the following wording: "INTERNATIONAL EXPLORATORY NOTICE FOR THE COLLECTION OF EXPRESSIONS OF INTEREST FOR THE IMPLEMENTATION OF ENERGY EFFICIENCY PROJECTS IN THE REPUBLIC OF SAN MARINO".



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- Sealed envelope, to be delivered by hand or sent by mail or courier, to the following address: Segreteria di Stato per il Territorio, l'Ambiente e l'Agricoltura, via Vicolo del Macello n. 2, 47890 San Marino. The envelope shall bear on the outside the following wording: "INTERNATIONAL EXPLORATORY NOTICE FOR THE COLLECTION OF EXPRESSIONS OF INTEREST FOR THE IMPLEMENTATION OF ENERGY EFFICIENCY PROJECTS IN THE REPUBLIC OF SAN MARINO", as well as the sender's address and name.

When sending the email, or sending or delivering the envelope, the party expressing interest shall declare to have read the Notice and to accept all its conditions.

The expression of interest does not constitute proof of meeting the requirement for admission. The transmission, shipping or delivery of the expression of interest and related documents shall be at sole and only risk of the sender. The Ministry of Territory, Environment and Agriculture, and the Public Administration shall be in no case held accountable for any technical or other problems, due to which the expression of interest is not received at the above address.

OUTCOME OF EXPRESSIONS OF INTEREST

The expressions of interest received shall not be binding on the Ministries. The expressions of interest shall not entail any title or condition with respect to subsequent decisions to be made by the Congress of State.

This Notice shall envisage no merit ranking or scoring.

Since this is an Exploratory Notice, the Ministries, on behalf of the Congress of State, shall reserve the right not to sign the contract granting the right to use the roofs and establishing the partnership under this Notice, without this resulting in any rights for the interested parties.

The Ministries, through the Congress of State, shall also have complete decision-making autonomy with respect to the subject matter of this Notice and to any other aspect or content of any subsequent procedure for the granting of the right to use the areas to be identified, as well as any guarantees that the proposing party will be required to provide, subject to prior decision of the Congress of State.

San Marino, 18 May 2023



Fabio Righi
Minister



Stefano Canti
Minister

Teodoro Lonfernini
Minister

