

**PUBLIC CALL RELATED TO A MARKET SURVEY FOR THE EXECUTIVE PRODUCTION OF 9 EPISODES FOR AN ANTHOLOGICAL WEB SERIES IN THE FRAME OF CIRCE PROJECT FINANCED UNDER INTERREG IPA CBC ITALY-ALBANIA-MONTENEGRO PROGRAMME 2014/2020 (CUP B99D17019500007)**

**Introduction**

Apulia Film Commission Foundation, established with Regional Law no. 6/2004, art. 7, has had a central role in realising Apulia Region policies related to audiovisual sector promotion and development; offering public services for the benefit of the whole regional territory; working to attract Italian and foreign audiovisual productions in Apulia in order to promote and give value to the artistic and environmental heritage, historical memory and traditions of Apulian communities, the technical and professional resources active on the regional territory; sustaining the production and distribution of audiovisual material realised in the Region, especially through Film Fund; promoting initiatives, events and festivals related to the audiovisual in Apulia; cultivating research, study, experimentation and training of competences in the audiovisual sector; promoting coordination activities among regional, national and international bodies to support collaborations in the audiovisual sector and that of new communication technologies.

In carrying out its tasks, Apulia Film Commission Foundation is Lead Beneficiary of the project **CIRCE** (*Common Initiatives to promote Cinema across Italy – Albania – Montenegro*) financed under the First Call for Ordinary Projects of Interreg IPA CBC Italy-Albania-Montenegro Programme 2014/2020 (Priority Axis 2 “*Smart management of natural and cultural heritage for the exploitation of cross border sustainable tourism and territorial attractiveness*”- Specific Objective 2.2 “*Increase the cooperation of the relevant key actors of the area for the delivery of innovative cultural and creative products*”).

CIRCE faces a challenge common to the territories involved in Interreg IPA CBC Italy-Albania-Montenegro Programme: modernizing the territorial productive system of the involved area, investing in cultural and creative industries as key strategic resources for boosting the economic growth of the targeted regions. The main overall objective is to enhance conditions for the growth of cultural and creative industries of the audiovisual sector that can foster the valorisation of cultural heritage of the involved areas, implementing cross-border initiatives able to establish a bridge among participating regions and gather key actors in realizing new creative productions. The project implements a comprehensive programme of cross-border initiatives in audiovisual sector sharing new supporting policies and setting up networks at different levels that will involve the main stakeholders.

In addition to Apulia Film Commission Foundation, CIRCE project partner are Albanian National Cinematography Centre, Film Centre of Montenegro and Molise Region. Associated partners are: Ministry of Culture of Montenegro, Ministry of Culture Republic of Albania and Ministry of Heritage and Culture and Tourism (MIBACT).

In particular, in the frame of **WPT1**, **CIRCE project foresees the production of an anthological web series of nine episodes on the subject of journey in order to promote the cultural, artistic and architectural heritage of the involved territories.**

**Therefore, the aim of the web series is to strengthen the visibility and recognisability of Albania, Montenegro, Molise region and Puglia region through audiovisual tools, assigning this task to young under-35 directors coming from the involved territories making them protagonists of their own lands’ cultural development.**

### **Art. 1– Market survey object**

This market survey is carried out in accordance with article 36, paragraph 2, letter a) and article 63, paragraph 2, letter b), point 1, of Legislative Decree no. 50/2016 (Public Procurement Code).

The survey aims to identify at least nine distinct economic operators, who will realise an episode of the web series each with duration of no less than 10 minutes (credits excluded) - about the topic indicated in article 2 of the call.

The shooting will be made in the territory of Albania and/or Montenegro and/or Molise region and/or Puglia region.

Furthermore, the economic operators will require a director born or resident in Albania and/or Montenegro and/or Molise region and/or Puglia region. The director, on the expiry date of the call, must be under 35.

Apulia Film Commission Foundation, therefore, will award nine distinct executive production agreements, by reserving itself the total ownership of the work and all its exploitation rights.

It is understood that the economic operators identified on the basis of the criteria under art. 5, will be invited to negotiate with Apulia Film Commission in relation to all the specific aspects of the audiovisual work (subject, production, budget, etc.) and, only in case of successful negotiation, the Foundation will award an executive production agreement with each economic operator. Therefore, the economic operators identified on the basis of the present market survey, cannot claim any right, pretension and/or expectations if the negotiation phase does not end with the award of the contract.

Among the nine episodes produced, at least three will have an Albanian director, three a Montenegrin director and three a director from Molise region and/or Puglia region.

The maximum amount for the executive production of each episode is € 20,000.00 (twenty thousand/00 Euro), plus VAT as provided by law (if due).

### **Art. 2 – Features of the fiction short movie to be realised**

Each economic operator, together with its young director, will have to develop a creative and original proposal for the web series episode following the below topic:

***"Stories can be genre fictions or dramas or animations on the topic of journey in all its facets. Journey is intended as adventure, escape, holiday or business travel, but also inner journey, time travel, virtual journey. Journey as dream or need."***

The audiovisual works must respect the following minimum requirements of technical quality:

- a. Shooting in original language with English subtitles or vice versa;
- b. Maximum duration of 10 minutes (excluding opening and end credits);
- c. Minimum shooting format: 2K @ 25fps or 24fps: 2048x1152 pxs with reference to a.r. 2.39:1 (2048x858);
- d. Shooting format code:
  - i. Raw data;
  - ii. 4:4:4 sampling scheme;
  - iii. 4:2:2 sampling scheme;
- e. Data storage:
  - i. No.1 Hard drive containing the original footage;
  - ii. No.1 Hard drive containing the project edition (scene editing-sounds) and project finalisation (colour grading – mix – graphic material of credits- text files containing opening and end credits);
  - iii. No.1 Hard drive containing:
    - Master file V.O. 4:4:4 (minimum 2K);
    - Master file V.O. with English subtitles 4:4:4 (minimum 2K);
    - Mix audio file single channels (6 or 2 channels + stem separate dialogues, music and effects);
    - Subtitles in srt format;

iv. Scene and backstage photos.

As concerns the budget for the executive production, the following rules must be respected:

- No less than 15% will be addressed to the young director;
- No more than 20% will be addressed to the actors.

Furthermore, still on the subject of budget, it is recommended that general fees and production fees are not higher than 15%.

The use of stock footage is not admitted. Under exceptional circumstances, this latter may be eventually authorised solely and exclusively after the negotiation phase.

As concerns communication and publicity requirements, each successful tenderer will insert the European Union Emblem together with the logos of Interreg IPA CBC Italy-Albania-Montenegro Programme 2014/2020 and those of CIRCE project's partners in the opening and/or end credits of the work and in all the eventual materials that may be produced.

Apulia Film Commission Foundation will check the fulfilment of these requirements.

### **Art. 3 – Requirements for the participation to the market survey**

The application to participate in the present market survey must be presented by an economic operator of audiovisual production who, on the date of submission of the application, satisfies the following requirements:

- a. To be registered in the Commercial Register or in an equivalent register in a EU Member State or in an equivalent State;
- b. To own the general requirements laid down in art. 80 of Leg. Decree no. 50/2016;
- c. To work mainly in the sector of "Activities of film production, video and television programs" (code ATECO 2007 J 59.11, code NACE J 59.11 or non-European equivalent);
- d. To be not beneficiary of other contributions and/or funds for the same audiovisual work participating to the present market survey;
- e. In the case of Albanian and Montenegrin economic operators, these must prove their registration in their specific national registers referred to in Annex XI of Leg. Decree n. 163/2006 (National Business Centre in Albania and Central Registry of Commercial Entities in Montenegro) according to the existing rules in the country of residence, while Albanian economic operators must also be registered at the Albanian National Centre of Cinematography.

Each economic operator can apply for the executive production of maximum one episode of the web series. If the economic operator sends more than one application, all the applications submitted by the same economic operator will be rejected.

Each economic operator will indicate in the application the name and details of the director (born or resident in the territory of Albania, or Montenegro or Molise region or Puglia region, and under 35 on the expiry date of the call) of the episode to realise.

Each young director can participate to the public call in conjunction with one economic operator. If a young director participates to the public call in conjunction with more than one economic operator, all his/her applications will be rejected.

### **Art. 4 – Rules for participations**

The interested economic operators can send their application through the digital platform available at the link <http://dev.hsh.it/afc/> at the latest **by 23:59 (UTC + 1) of 27<sup>th</sup> May 2019** (45 days after the publication date).

The applications sent after the aforementioned deadline or sent with different arrangements will be rejected.

Particularly, the economic operator will submit, through the platform, the following documents **in English language** and in non-editable PDF format:

- a. Application Form (Annex 1);
- b. *Company profile* (curriculum) of the economic operator;
- c. *Curriculum vitae* of the producer;
- d. Copy of a valid identity document of the legal representative of the economic operator;
- e. Original script (minimum 5 pages);
- f. Director's notes (i.e. director's report clarifying visual, aesthetic and artistic aspects of project implementation as a supplement to what is already reported in the script);
- g. Productions notes (i.e. producer's report examining the implementation aspects of the project specifying the work approach and eventual solutions to face eventual difficulties inherent in the project);
- h. *Curriculum vitae* of the director highlighting the educational background with reference to the cinema schools attended, filmography and eventual participation to festivals (a link to a showreel about what the director has eventually realised so far is encouraged);
- i. Copy of a valid identity document of the director;
- j. Total budget of the project respecting the rules laid down in art. 2 (the total amount of the budget shall not exceed € 20.000,00, VAT excluded);
- k. The economic proposal (Annex 2) should not include VAT but should include any other tax/fee and cannot be higher than € 20.000,00.

The lack of submission of all the requested annexes determines the inadmissibility of the application.

Submitting their application, applicants fully recognise and accept the rules, indications and requirements laid down in the present call.

#### **Art. 5 – Selection criteria and evaluation of proposals**

The Project Manager will arrange the award of the supply contract after the evaluation of the proposals by a specific Committee evaluating on the basis of a ranking list with points (maximum 100 points) given according to the below-mentioned criteria. The evaluation Committee is appointed by the Project Manager and will be composed of individuals with proven experience, competence and authority.

The supply contract will be awarded to applicants who have presented the best project, determined with the criteria of the most economically advantageous offer on the basis of the below-listed criteria and respective coefficients:

- Quality of film project (max 80 points)
- Economic offer (max 20 points).

The assessment criteria of the quality of the film project are the following:

<b>Assessment criteria of the quality of the film project</b>	<b>Maximum score</b>
Originality and creativity of the script and consistency with the topic	50
<i>Curriculum Vitae</i> of the economic operator and the producer	10
<i>Curriculum Vitae</i> of the director	10
Adequacy and coherence with the proposed budget	10
<b>TOTALE</b>	<b>80</b>

In order to assign to each proposal a score for each parameter, the relationship between the qualitative assessment and the coefficients specified below will be taken into account; these latter should be multiplied by the corresponding maximum score established for each assessment criteria:

<b>COEFFICIENTS OF QUALITATIVE ASSESSMENT</b>	
Excellent	1,0
Very good	0,9
Good	0,8
Discrete	0,7
Sufficient	0,6
Almost sufficient	0,5
Poor	0,4
Very poor	0,3
Insufficient	0,2
Inadequate	0,1
Not evaluable	0,0

As concerns the allocation of the 20 points foreseen for the economic offer, the formula of "inverse correlation" (interdependent) to the decrease (on the basis of the price) will be used.

The price, therefore, will be evaluated on the basis of the following formula:

$$PE = P_{max} \times \frac{P_{min}}{P}$$

Where:

PE = given score

P<sub>max</sub> = maximum score (20)

P = price (value) offered by applicant

P<sub>min</sub> = lowest price among those offered in the call

The total score of each proposal will be given by the sum of the scores obtained for each parameter.

The proposals that have obtained an over-60 score will be inserted in the ranking list.

The first nine expressions of interest will be admitted to the subsequent phase, provided that the parameter according to which there will be at least three applications with Albanian director, three with Montenegrin director and three with director from Molise region or Puglia region is respected and provided that the proposals admitted to the ranking list consent to respect this parameter.

In case of tie, the economic operator with the highest score for the originality and creativity of the script and consistency with the topic will be given priority. In case of further tie, the economic operator with the younger director will be given priority. In case of further equality, the award shall be made by drawing lots.

At the end of the negotiation procedure, Apulia Film Commission will award a contract of executive production to each economic operator, reserving itself the total ownership of the work and all its exploitation rights.

If the negotiation phase shall not end with the award of the contract for one or more economic operators, Apulia Film Commission Foundation may admit to the negotiation phase the applications following in the ranking list, always respecting the envisaged parameters.

It is reiterated that the economic operator in the ranking list cannot claim any right, pretension and/or expectations if the following negotiation phase does not end with the award of the contract.

**Furthermore, it is reiterated that Apulia Film Commission can intervene in the draft of the nine**

**definitive scripts of each episode and in the artistic/production choices establishing also the episodes' sequence. In particular, Apulia Film Commission Foundation, in order to create a unity of the web series, will organise several meetings in which selected authors and producers have to take part.**

#### **Art. 6 – Time schedule of activities**

The time schedule of activities relating to the supply is the following:

- a. Within 30 days from the call expiry date, the ranking list with the identification of the selected economic operators admitted to the negotiation phase will be published;
- b. By half July 2019, finalisation of negotiation phase and start of preparation;
- c. By end of July 2019, signature of the contract and works start after sending the updated version of: work plan, crew list, supplier list, cast list, estimate costs;
- d. By September 2019, end of works and start of postproduction after sending the postproduction plan;
- e. By 15 October 2019, projection of work copy;
- f. By October 2019, request for eventual changes from Apulia Film Commission Foundation;
- g. By 10 November 2019, finalisation of postproduction with the required changes including colour correction and subtitling in English language or in original language;
- h. By November 2019, finalisation of activities, through the delivery of the final product to Apulia Film Commission Foundation.

At the time of contract signature, Apulia Film Commission Foundation will intervene in every step of the work's implementation concerning the monitoring activities and supervision of the production and artistic processes through its production delegate.

The payment will be made by regular invoice (e-invoice for Italian operators) as follows: 100% of the balance with the completion of the provided activities as a result of the certificate of regular execution. Each economic operator shall be given the opportunity to foresee an advance of 50% of the established amount after delivering the hard disk containing shooting and direct drive, after the approval from the production delegate and the Project Manager and the presentation of the related invoice.

The payment will be made within 30 (thirty) days from the reception of the original invoice. Nothing will be due by Apulia Film Commission Foundation in case of payment delay of invoices for reasons not attributable to it.

Invoices shall include a clear indication of the CUP and CIG that will be assigned according to the legislation that establishes the traceability requirements of financial flows (art. 3, Law no. 136/2010, and subsequent amendments by Law no. 217/2010), and of the IBAN and SWIFT codes to carry out the transfer.

Apulia Film Commission Foundation is subject to split payment according to art.1 of L.D. 50 of 24/04/17 and, therefore, invoicing by economic operators is subject to split payment.

Invoices shall include the taxable amount (given directly by Apulia Film Commission Foundation to the economic operator) and the amount of VAT, if due (that the Foundation will deposit into the treasury according to the existing legislation), and the indication "Split payment- art.1 LD 50/2017".

Invoices shall be headed to:

Apulia Film Commission Foundation

Cineporti di Puglia/Bari, c/o Fiera del Levante, Lungomare Starita 1, 70132 Bari, Italy

Social Security Number 93332290720 - VAT 06631230726

Object: Executive production of [title of audiovisual work] in the frame of CIRCE project financed under the first call for ordinary projects of INTERREG IPA CBC Italy-Albania-Montenegro Programme

### **Art. 7 – Information on processing of personal data**

According to art. 13 of EU Regulation 2016/679 (GDPR), personal data will be processed by Apulia Film Commission Foundation exclusively to undertake the present procedure and they will be filed in physical and electronic archives. These data may be communicated to public administration or legal entities directly involved. The indication of personal data is mandatory in order to participate to the present public call. As data subjects, participants have the possibility to exercise their rights (as provided by art. 15 GDPR), writing to [privacy@apuliamfilmcommission.it](mailto:privacy@apuliamfilmcommission.it). The controller of data processing is Apulia Film Commission Foundation.

### **Art. 8 – Further information**

In order to carry out the activities, Apulia Film Commission Foundation will accredit successful tenderers at their Premises, the Administrations, Bodies and stakeholders involved in realising the actions related to the activities. Furthermore, Apulia Film Commission undertakes to make available all data and information useful for carrying out the activities.

Successful tenderers will:

- a. Guarantee the execution of the envisaged activities together with Apulia Film Commission competent offices and other stakeholders, according to scheduled time and exigencies;
- b. Recognise to Apulia Film Commission the total ownership of the work and its exploitation rights;
- c. Not use, neither directly nor indirectly, for personal or third parties' gain, the mandate given and the information contained, also after the expiry date of the contract.
- d. Transfer to Apulia Film Commission Foundation all the results, methods and technologies used.

Furthermore, successful tenderers will fulfil all the requirements about traceability of financial flows according to art. 3 of Law of 13 August 2010, n. 136 and its subsequent amendments, undertaking to immediately communicate to Apulia Film Commission Foundation and to the competent authorities about their eventual counterparty default (as subcontractor) to fulfil the requirements about financial traceability. Thus, the successful tenderer has to insert the given unique project code (CUP B99D17019500007) and the call identification number (CIG) in all the future documents related to the performance of the contract, including payment invoices.

Successful tenderer undertake to respect and apply art. 25 of the Regional Law 25/2007 and art. 30 of Law 4/2010, in addition to the regulations of the Regional Law of 26 October 2006, no. 28 and the subsequent approved regulation no.31 of 2009, which provides for "the obligation to apply the national and territorial collective contracts of the sector" and "every certified infringement of this obligation implies a cut of the envisaged payments".

After the award, Apulia Film Commission Foundation will invite the successful tenderers to produce the necessary documentation for the conclusion of the contract. However, the conclusion of the contract is subordinated to:

- a. The verification that there are no obstacles to the award of the contract, as provided by Law of 31 May 1965 n. 575 and any subsequent amendments or additions;
- b. The verification of the declarations made during the tendering procedure and the obtaining of the necessary certificates, including the certificate of contribution regularity.

If, after the award of the contract, or during the performance of the services, the requirements described by the public call are not met, this results in an early termination of the relationship, excluding any claim for damages by Apulia Film Commission Foundation.

Apulia Film Commission Foundation reserves itself the right to verify the adequacy of the provided services at any time.

In case of non-compliance and/or inadequacy of provided services, Apulia Film Commission Foundation will give notice to the contractor, through email or equivalent means, to fulfil the necessary requirements provided by the contract by a 10-days mandatory deadline. If the contractor fails in doing this, Apulia Film

Commission can rightfully proceed to the termination of the contract, without the contractor having anything to claim.

In case of termination of the contract, Apulia Film Commission Foundation can proceed to scroll the ranking list.

Any eventual controversy of any kind and nature born between Apulia Film Commission Foundation and the successful tenderers falls within the competence of the judicial authorities of Foro di Bari.

All the documents are available on the website [www.apuliafilmcommission.it](http://www.apuliafilmcommission.it) and at the premises of Apulia Film Commission Foundation: Cineporti di Puglia/Bari c/o Fiera del Levante, Lungomare Starita 1, 70132 Bari.

Where the matter is not regulated by the present call, it will be regulated by the relevant legal provisions.

Eventual clarifications about the procedure in question should be sent to the following address: [cristina.piscitelli@apuliafilmcommission.it](mailto:cristina.piscitelli@apuliafilmcommission.it) strictly no later than the 20 days before the expiry date of the call.

Answers to eventual questions will be published on the website [www.apuliafilmcommission.it](http://www.apuliafilmcommission.it) in the specific section related to the public call.

The Project Manager is Mrs Cristina Piscitelli, Responsible for EU Projects and Financing of Apulia Film Commission Foundation.

Bari, 12th April 2019

Prot. N. 1133/19/U

Antonio Parente  
Direttore Generale  
Fondazione Apulia Film Commission