

TECHNICAL JUSTIFICATION REPORT OF THE VERIFICATION PROCEDURE I AUTHORIZATION OF ACCESS TO THE RECHARGE INFRASTRUCTURE OF ELECTRIC VEHICLES MANAGED BY BARCELONA DE SERVEIS MUNICIPAL

In accordance with articles 28, 100, 101 and 116.4 of Law 9/2017, of November 8, on Public Sector Contracts (hereafter, LCSP), this technical report is issued to justify the following aspects relating to the present file of recruitment:

- Object of the agreement and needs to be met.
- Justification for not dividing the agreement into lots.
- Technical or professional, economic and financial solvency criteria, award criteria and special conditions for the execution of the agreement that will be taken into consideration in the contracting procedure for the reference agreement.
- Tender budget, estimated value and duration of the agreement.

I.- OBJECT OF THE AGREEMENT AND NEEDS TO BE SATISFIED

- 1.1. The purpose of this specification is to define the necessary requirements as well as the technical procedure that enables different Electromobility Service Providers (EMSP) to operate through the electric vehicle charging network managed by Barcelona Municipal Services. Through the monitoring of the requirements, the procedure will be conducted that will allow the interested parties to operate so that their users can recharge the batteries of their electric vehicles in the network of charging points managed by B:SM.
- 1.2. The EMSPs will have to connect to the B:SM platform that manages the charging points using the OCPI (Open Charge Point Interface) protocol so that, once connected, their users can recharge at the connection points in Barcelona managed by B:SM under the agreed conditions.
- 1.3. In relation to the economic conditions derived from the integration and use of the recharge points B:SM will invoice the recharges made by EMSP users to the EMSP in accordance with the conditions detailed in the set of particular clauses that govern the integration procedure. The user must pay the top-up to the EMSP according to the terms of service contracted with it.

II.- JUSTIFICATION FOR NOT DIVIDING THE OBJECT OF THE AGREEMENT INTO LOTS

The division of the object of the agreement into lots is regulated in article 99.3 of the LCSP, which provides the following:

"3. Whenever the nature or object of the agreement allows it, provision must be made for the independent performance of each of its parts by dividing it into lots, and lots may be reserved in accordance with the provisions of the additional provision fourth

However, the contracting authority may not divide the object of the agreement into lots when there are valid reasons, which must be duly justified in the file, except in the case of works concession contracts ."

This agreement contains the necessary elements to justify that it is not divided into lots.

In particular:

- The nature of the work means that it cannot be carried out in lots as there is no limit on the number of tenderers and the agreement will be signed with all third parties who meet the requirements.

III.- SOLVENCY CRITERIA:

Given that its estimated value is €75,000 (before VAT), the following solvency criteria are proposed:

The procedure for the formalization of the agreements will not require the application of award criteria specific to the contracts specified in the LCSP, but will require the verification of technical and economic elements that guarantee that the companies that wish to include the points of recharge managed by Barcelona Municipal Services, within the network to which users of its mobility solutions have access, meet the necessary characteristics to guarantee good integration and minimum quality standards in the service.

This solvency materializes in the following requirements:

Technical solvency

The technical solvency, which will determine together with the economic solvency the possibility of formalizing the reference agreement, will be accredited by providing documentation that will allow the verification of various elements, which are expressly established in article 90 of the LCSP and are detailed below:

1. Indication of the technical staff or technical units, integrated or not in the company, participants in the agreement, especially those in charge of quality control.

The operator must certify, by means of a responsible declaration, that it has a customer service service operating 24 hours a day, every day of the year, capable of attending to user queries regarding the stations recharge that are integrated into the network that shows its mobility solution. This customer service will include inquiries regarding the price and invoicing of top-up services.

2. Declaration indicating the availability of a compatible platform

The operator must certify, through a responsible declaration, the availability of a platform capable of connecting to the charging point management application used by Barcelona Municipal Services, using the OCPI protocol.

The specification of particular conditions will establish in each case the necessary documentation for the accreditation and verification of compliance with the detailed technical requirements.

Financial solvency

Declaration on the overall volume of business, referring at most to the last three financial years available based on the date of creation or start of the entrepreneur's activities, to the extent that the references of this volume of business are available business The tenderer will have to prove that in the year of greatest execution of the last three (3) years, an annual business value of at least €22,500 has been achieved.

To prove this, the tenderer will present the annual accounts approved and deposited in the corresponding Mercantile Registry, if the entrepreneur is registered and, otherwise, by those deposited in the official register in which he must be registered. In the case of individual entrepreneurs, it will be certified through the inventory books and legalized annual accounts in the Mercantile Registry.

Apart from the specific technical requirements specified, the operators must be in a position to proceed with the integration in the terms described in the technical specifications, in full coordination with the technicians and the Department of Barcelona Municipal Services Systems.

Means attached to the execution

The operator must assign to the execution of the agreement the three professional profiles specified below:

- **Head of customer service:** this profile will be in charge of coordinating the team responsible for responding to inquiries from users of the operator's mobility solution, either by phone, via email or through the support system that the operator has.

Qualification required: University Degree related to Marketing and Communication Management, alternatively other university studies will be accepted as long as they include the skills related to the tasks specific to the position.

- **Specialist technician in charge of coordination with the Barcelona Information Systems Unit of Municipal Services,** who will have direct interaction with the technicians and will lead the technical operations that the operator must undertake for the integration and compatibility of the agreement with what is established in the technical specifications.

Qualification required: University degree in the engineering family that includes the skills necessary for the development of highly complex computer software and applications. Alternatively, other related studies will be accepted, BSM reserving the right to request additional information on the training and work experience of the proposed technician.

- **Director of the electromobility service as interlocutor of the agreement:** this figure will be the main interlocutor of the agreement, he will guarantee the proper functioning of the personnel, equipment and means necessary to guarantee the success of the object of the agreement, establishing a direct line of communication between this professional and the Endolla de Barcelona Unit Head of Municipal Services.

Qualification required: University degree related to the branch of Economics or Business Administration and Management. Alternatively, other related studies will be accepted, reserving BSM the right to request additional information on the training and work experience of the proposed manager.

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The proposed technical and professional, economic and financial solvency has been determined in accordance with what is provided for in article 11 of the General Regulations of the Public Administration Contracts Law, approved by Royal Decree 1098/2001, of 12 October, and are considered adequate and proportionate to the object of the present procedure.

IV.- AWARD CRITERIA:

They are not established.

REASONS FOR MODIFICATION:

In case of variations in the unit prices due to the various types of top-ups as a result of the approval of new private prices by the Barcelona City Council, the operator will be offered the possibility to adapt the contract to the new approved private prices. Otherwise, the extension of the contract will not be processed and the operator will be able to make a new request in the next call for this procedure, where the updated prices will be stated.

SPECIAL EXECUTION CONDITIONS

The establishment of at least one of the special conditions of execution among those listed below is necessary in the special clauses document:

- In compliance with the non-use of sexist language or images in the execution of this agreement, the tenderer undertakes to deliver, before receiving the service, an evaluation report of the measures implemented and incidents detected and corrected that have occurred during the execution of this agreement.

V.- INSUFFICIENCY OF MEANS

The entity does not have sufficient means to be able to comply with the object of the agreement.

For this reason, given that the service that is the subject of the agreement cannot be performed with the entity's own means, it is absolutely necessary to hire interoperability services in order to offer the possibility of using the network of points of recharge Plug in the maximum number of possible users.

IX.- JUSTIFICATION OF THE DURATION, THE TENDER BUDGET AND THE ESTIMATED VALUE OF THE AGREEMENT

A. DURATION OF THE AGREEMENT:

1 year, with 4 extensions of one year each. (1+1+1+1+1).

B. TENDER BUDGET: The base tender

budget is understood as the maximum expenditure limit that the contracting body can commit under the agreement, including Value Added Tax, unless otherwise provided.

Barcelona Municipal Services foresees a total number of 140,000 top-up operations for an approximate amount of 500,000 euros by 2024.

The tariff structure by type of operation, which is currently applied by electromobility operators is as follows:

Interoperability user rates

Vehicle	Ubicació	Tipus càrrega	€/kWh diürn	€/kWh nocturn
Turisme/Furgoneta	Aparcament	Normal	0,31 €	0,26 €
Turisme/Furgoneta	Carrer	Ràpida	0,44 €	0,39 €
Moto	Aparcament	Normal	0,31 €	0,26 €
Moto	Carrer	Normal	0,35 €	0,30 €

*Amounts include 21% VAT

Taking into account the above data and taking into account the estimate of the potential number of foreseeable top-ups through the BSM top-up points by operators in the sector, which is estimated, by one operator, at 3% of all carried out for BSM during an annual period, the tender budget is set at a total of €15,000 (BEFORE VAT).

The unit prices corresponding to each operation will be those established through the approval of the private price structure by Barcelona City Council, and therefore may be subject to change. These unit prices will in any case correspond to the price that the user pays for using the charging point, before including the additional commissions that the operator receives for the provision of services to its customers through its platform.

The approved operator must comply with the following conditions regarding the fees for the use of electric charging points managed by BSM:

1) The sales price can never be lower than the rate for sporadic use of BSM 1) in force (EcoOne rate)

2) In the event that BSM applied discounts to the previous rate, the sales price will not be lower than the rate for sporadic use of BSM in force (EcoOne rate) once the discount has been applied.

Total basic tender budget (without VAT): € 15,000 .

VAT: € 3,150

Budget (VAT included): € 18,150

C. ESTIMATED VALUE OF THE AGREEMENT:

The estimated value of the agreement is understood as the total amount, not including the Value Added Tax, payable according to the estimates made.

The method applied to calculate the estimated value of the agreement conforms to what is provided for in article 101 of the LCSP.

Estimated value of the agreement: € 75,000 (VAT excluded), which corresponds to the following breakdown:

- Basic tender budget (without VAT): €15,000 - Possible modifications:
€0 - Possible extensions (without VAT):
€60,000, at a rate of €15,000/year

TOTAL ESTIMATED VALUE OF THE AGREEMENT (without VAT): €75,000

Barcelona,

Mr. Xavier Castellsague Vilamajo
Head Unit Plug
Urban Mobility Solutions Division
Barcelona Municipal Services, SA