ANNEX 1

FACSIMILE OF DECLARATION

ISSUED IN ACCORDANCE WITH ARTS. 46 AND 47 OF ITALIAN PRESIDENTIAL DECREE NO. 445/2000

FAO

**Consip S.p.A.**

Via Isonzo, 19/E

00198 ROME

MANDATORY DECLARATION ISSUED, IN ACCORDANCE WITH ARTS. 46 AND 47 OF ITALIAN PRESIDENTIAL DECREE NO. 445/2000 for Servizio di Manutenzione del prodotto software “OpenCMS” –RDA 48546

The undersigned \_\_\_\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_, with business address at the company office indicated below, in his/her capacity as \_\_\_\_\_\_\_\_\_\_ and legal representative vested with the necessary powers to commit \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in this procedure, with registered office in \_\_\_\_\_\_\_\_\_\_\_\_\_\_, (Street/Road) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, share capital of Euro \_\_\_\_\_\_\_ (\_\_\_\_\_\_\_\_), listed on the Business/Companies’ Register of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ under no. \_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and VAT no. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereinafter referred to as the “*Company*”,

* Pursuantto and in accordance with art.76 of Italian Presidential Decree no. 445/2000 is aware of the civil and criminal liabilities and consequences laid down in case of false statements and/or creation or use of false documents, as well as in case of submission of documents containing data which no longer reflect the truth. In addition, if the content of this declaration should result to be false then the Company that drafted this document will lose the benefits for which it is issued;
* for the purposes of this direct award pursuant to paragraph 2a) of art. 36 of Italian Legislative Decree no. 50 of 18 April 2016

**HEREBY DECLARES, TAKING FULL RESPONSIBILITY FOR SO DOING**

1. that this Company, has been listed since \_\_\_\_\_\_\_\_\_ on the **Business/Companies Register of** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, under number \_\_\_\_\_\_\_\_\_\_\_\_\_, operating in the field of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

* falls within the category of **Micro, Small and Medium-Sized Enterprises** according to the parameters set by European Commission recommendation 2003/361/EC of 06 May 2003

**Or**

* does not fall within the category of Micro, Small and Medium-Sized Enterprises according to the parameters set by European Commission recommendation 2003/361/EC of 06 May 2003;

1. that this Company is organized as follows (*complete the relevant field only, cancel the once that are not associated with the company*):
2. The administration is assigned to a **Sole Director**:

name*\_\_\_\_\_\_\_\_\_\_* surname\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_\_\_, on \_\_\_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_, with the following powers associated with the office: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

b)The administration is assigned to a **Board** **of Directors** composed of n.\_\_ members and, in particular, of: (*indicate the data of all the directors, specifying whether or not they are entitled to act as a legal representative*)

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, office\_\_\_\_\_\_\_\_ (*Chairman of the Administrative Board, Managing Director, Director etc.*), appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_, with the following powers associated with the office: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

b1) There are the following **Representatives**/**Agents**

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, office\_\_\_\_\_\_\_\_, appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_, with the following powers associated with the office:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ;

*or*

there are no **Representatives/Agents**

b2) There are the following **legal representatives vested with the broadest decision-making powers**

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, office\_\_\_\_\_\_\_\_, appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_, with the following powers associated with the office:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ;

*or*

there are no **legal representatives vested with the broadest decision-making powers**

c) (*fill only if present*) The **Board of Auditors** composed of \_\_ members and, in particular, of: (indicate all members)

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, office\_\_\_\_\_\_\_\_, (*eg. Chairman of the Board of Auditors, Acting Auditor, Deputy Auditor*) appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_;

c1) (*fill in only as an alternative to the statement mentioned in the previous paragraph letter c*) The **Internal Control Committee** composed of \_\_ members and, in particular, of: (indicate all members)

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, office\_\_\_\_\_\_\_\_, appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_,

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, office\_\_\_\_\_\_\_\_, appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_,

d) (*fill in only as an alternative to the statement mentioned in the previous paragraph letter b) and c) or c1)* The **Management Board Committee** composed of \_\_ members and, in particular, of *(indicate the references of all the members*):

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, office\_\_\_\_\_\_\_\_, (*eg. management board committee, director)* appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_, with the following powers associated with the office:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ;

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, office\_\_\_\_\_\_\_\_, (*eg. management board committee, director*) appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_, with the following powers associated with the office:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ;

The **Supervisory Board** composed of \_\_ members and, in particular, of (*indicate the references of all the members*):

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, office\_\_\_\_\_\_\_\_, (*ex. chairman of the supervisory board, director*), appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_;

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, office\_\_\_\_\_\_\_\_, (*ex. chairman of the supervisory board, director*), appointed on \_\_\_\_\_\_\_ until \_\_\_\_\_\_;

e) (*fill only if present*) **Other subjects vested with powers of representation, management or control over the company** (such as the Auditor and other management boards, in charge of monitoring the operation and the compliance of the organizational and management models for crime prevention purposes), according to art. 80, paragraph 3, Legislative Decree n° 50/2016:

(*indicate the data and repeat as many times as necessary*)

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, role\_\_\_\_\_\_\_\_, appointed on \_\_\_\_\_\_\_ (if applicable up to \_\_\_\_\_\_), with the following powers associated with the office:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

name\_\_\_\_\_\_, surname\_\_\_\_\_\_\_\_\_, born in \_\_\_\_\_\_\_, on \_\_\_\_\_\_\_, Tax Code \_\_\_\_\_\_\_\_\_\_\_, residing in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, role\_\_\_\_\_\_\_\_, appointed on \_\_\_\_\_\_\_ (if applicable up to \_\_\_\_\_\_), with the following powers associated with the office:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

f) there are the following **Technical Directors**:

*(indicate names, personal data, tax code, residence, duration of the role)*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*or*

there are no Technical Directors

g) (*fill only if present*) the sole shareholder or majority shareholder in case of companies with fewer than four shareholders is:

*- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(in case of a single member or a majority individuals, indicate personal data, tax code, residence of the person/s) \_\_\_\_\_\_\_\_\_\_\_\_,*

*- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* *in case of the majority shareholder or sole shareholder, indicate the tax code, the residence of directors with powers of representation (eg. Managing Director, etc.)* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

h) the following individuals, which have ceased holding the office mentioned above from letter a) to g) (*modify according to needs)* within the year preceding the sending date of the request for proposal and up to the date of submission of the proposal *(indicate names, personal data, tax code, residence, duration of the job position)*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*or,*

there are no individuals, which have ceased holding the office mentioned above within the year preceding the sending date of the request for proposal and up to the date of submission of the proposal;

i) there are the following registered shareholders with their **relative market shares**, as listed below:

……………….. … %

……………….. … %

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

total 100 %

l) in the year preceding the sending date of the request for proposal and until the date of submission of the proposal, has acquired the company \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(*or* a branch), after **a corporate transaction of** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(**sale /lease of a company or of its branch of business, incorporation or merger**) occurred on \_\_\_\_\_\_\_\_\_\_ and valid from \_\_\_\_\_\_\_\_\_\_\_\_ . *(the competing Company shall indicate the date of the transaction, the date in which the transaction become effective, the companies involved)*

and,by virtue of the aforementioned transaction, the following persons from the assignor/lessor, merged or incorporated company must be considered individuals, which have ceased holding the office mentioned above within the year preceding the sending date of the request for proposal and up to the date of submission of the proposal:

*(the competing Company - with reference to the individuals* *who have worked at the assignor/lessor, incorporated or merged companies – shall indicate the name, personal details, tax codes and offices. Offices relevant to this declaration are those referred to in paragraph 2 above, from letter a) to h))*

\_\_\_\_\_\_\_\_\_\_\_\_(*nominative*) \_\_\_\_\_\_\_\_ (*Personal Data) \_\_\_\_\_\_\_\_\_\_\_\_\_\_(Role)*

\_\_\_\_\_\_\_\_\_\_\_\_(*nominative*) \_\_\_\_\_\_\_\_ (*Personal Data) \_\_\_\_\_\_\_\_\_\_\_\_\_\_(Role)*

*or*

that in the year preceding to the date of dispatch of the request for proposal and in any case until the date of submission of the offer, no sale / lease of business or branch of business, incorporation or merger has taken place;

m) that the information in the shareholders register, as well as the communications received from the holders of said shareholdings, has shown the following real rights of use or security interests over shares/units granting voting rights:

\_\_\_\_\_\_\_\_\_\_ in favour of \_\_\_\_\_\_\_\_\_\_,

\_\_\_\_\_\_\_\_\_\_ in favour of \_\_\_\_\_\_\_\_\_\_,

***(or)***

that there are no real rights of use or security interests over shares/units granting voting rights;

n) that in the shareholders meetings held during the financial year preceding the date of this declaration, the following persons exercised their voting right by virtue of an irrevocable power of attorney, or at least were entitled to do so:

\_\_\_\_\_\_\_\_\_\_\_ on behalf of \_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_ on behalf of \_\_\_\_\_\_\_\_\_\_\_

***(or)***

that no voting right was exercised by virtue of an irrevocable power of attorney or an equivalent title;

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1. that the undersigned is fully familiar with all the documentation, acknowledging and accepting the regulations which govern the selection procedure and, therefore, the award and shall undertake, in the event of a successful bid, to adhere to every part thereof. Furthermore, the undersigned also declares that he/she is fully familiar with the selection procedure documentation and certain that the goods and services offered comply with all the minimum requirements indicated therein;
2. the Company has become fully acquainted with the "**Integrity Pact**" attached to the request for proposal, accepting the terms and conditions and commits to comply with its requirements during the procedure and to sign it in conjunction with the Contract;
3. the Company does not fall in any **of the exclusion reasons referenced in art. 80 of Legislative Decree 50/2016** and referred to in art. 57 of the 2014/24 Directive:
4. **GROUNDS FOR EXCLUSION FOLLOWING CRIMINAL PENALTIES ACCORDING TO PARAGRAPH 1 OF ARTICLE 80 OF LEGISLATIVE DECREE NO. N. 50/2016**
5. Have individuals holding offices referenced in art. 80 paragraph 3 of Legislative Decree no. 50/2016 and listed above, **been subject to a** **conviction for any of the offenses** listed in art. 80, paragraph 1, lett. (a) to (g) of the aforesaid decree, by a final judgement or a penalty order that has become irrevocable or a judgement imposing the penalty requested pursuant to article 444 of the Italian Code of Criminal Procedure, issued no more than five years ago or, irrespective of the date, in which an exclusion period set forth in the judgment is still applicable?

YES □ NO□

*If YES, the Company must indicate:*

*a) date of conviction; the duration; the offense as referenced in Article 80 (1) (a) to (g) of Legislative Decree no. n. 50/2016; and the reasons for the conviction;*

*b) the identification data of the convicted individual(s);*

*c) if in the sentence of conviction has been applied the additional penalty of the inability to contract with the Public Administration, indicate the duration of the exclusion period;*

*d) if relevant, indicate the measures demonstrating the complete and effective dissociation of the Company from the sanctioned conduct;*

*The Company must also clarify whether he has taken sufficient measures to demonstrate its reliability despite the existence of a relevant exclusion reason (i.e. “self-discipline” or “self-cleaning” according to Article 80, paragraph 7, Legislative Decree 50 / 2016) and must describe these measures by clarifying whether the sentence of final conviction recognized the mitigating effect of the collaboration (as defined by the individual offense).*

*If the final sentence of conviction is punishable by imprisonment not exceeding 18 months, whether the Company has fully or partially compensated for the damage or has proved the willingness to compensate the damage, and whether the Company has taken measures of a technical or organizational nature relating its staff to prevent further illicit or offenses.*

*The Company must also produce all the technical, organizational and personnel-related documentation suitable for preventing further crimes or misdemeanors and that is useful for the evaluation of the Contracting Authority, as per Art. 80 subsection 8, Legislative Decree.. 50/2016*

1. **REASONS REFFERRED TO THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS**
2. Has the Company **satisfied** all the obligations concerning the payment of taxes, duties or social security contributions, both in the country where it is established and in the Member State of the awarding administration or the awarding entity, if different from the country of establishment?YES □ NO□

*If NOT, indicate:*

*a) Country or Member State concerned;*

*b) What is the amount concerned;*

*c) How this default has been established - whether through a judicial or administrative decision; if the decision is final and binding (please indicate the date of the judgment or decision); if present, provide the duration of the exclusion period (inability to contract with the Public Administration); if the economic operator has complied with or will fulfil its obligations by paying or bindingly engaging in the payment of taxes or social security contributions due, including any interest or fines, having paid or formalized the commitment before expiry of the deadline for submitting the application (art. 80 paragraph 4, last term, of Legislative Decree.. 50/2016).*

**C. REASONS REFERRED TO INSOLVENCY, CONFLICT OF INTEREST OR PROFESSIONAL MISCONDUCT**

8. Has the economic operator **breached**, the applicable obligations concerning health and safety at the workplace, environmental, social and employment law pursuant to paragraph 5a) of article 80 of the Legislative Decree. 50/2016? YES □ NO□

*If YES, clarify whether the Company has taken sufficient measures to demonstrate its reliability despite the existence of a relevant exclusion reason (i.e. “self-discipline” or “self-cleaning” according to Article 80, paragraph 7, Legislative Decree no. 50/2016) and provide detailed information. If so, clarify whether the Company has fully compensated the damage and if it has adopted technical or organizational measures relating to personnel to prevent further illicit or criminal offenses. In that case, it is necessary to produce all the technical, organizational and personnel-related documentation suitable for preventing further offenses or illicit and useful for the evaluation of the contracting authority according to Article 80, paragraph 8, of Legislative Decree 50/2016.*

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1. Is the Company in one of the following situations or subject to a procedure for determining one of the following situations:
2. **Bankruptcy** YES □ NO□

If yes, was the Company authorized to operate on a provisional basis and authorized by the appointed judge (or other relevant authority – according to local rules) to participate in procedures for the awarding of public contracts (according to paragraph 3a) of article 110 of the Legislative Decree 50/2016) YES □ NO□

1. **The subject of insolvency or winding-up proceedings** YES □ NO□
2. **Arrangement with creditors** and/or **Business Continuity agreement** YES □ NO□

If yes, was the Company authorized by the relevant authority (according to paragraph 3a) of article 110 of the Legislative Decree 50/2016)?YES □ NO□

*(Include all relevant documents)*

1. Was the Company **guilty of serious professional misconduct** pursuant to paragraph 5c) of art. 80 of the Legislative Decree. 50/2016? YES □ NO□

*If YES, provide detailed information, specify the type of offense and clarify whether self-discipline measures have been taken. Clarify whether the Company has fully compensated for the damage and if it has adopted technical, organizational ore personnel-related measures to prevent further illicit or criminal offense. Include all the technical, organizational and personnel-related documentation that are suitable for preventing further crimes or misdemeanors and useful for the evaluation of the contracting authority (according to Article 80, paragraph 8, Legislative Decree 50/2016)*

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1. Is the Company **aware** **of** **any conflict of interest** (linked to participation in the present procedure (according to paragraph 5d) of article 80 of the Legislative Decree. 50/2016)? YES □ NO□

*If YES, provide detailed information on how the conflict of interest has been resolved or, in the event of a conflict of interest which can not be otherwise solved, provide all the documentation useful for the assessment of the contracting authority (according to Article 80, paragraph 8, Legislative Decree. 50/2016)*

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1. Has the Company (or an associated company) **provided** consultancy to the awarding authority or the awarding individual(s) or otherwise participated in preparing the awarding procedure (according to paragraph 5e) of article 80 of the Legislative Decree. 50/2016)? YES □ NO□

*If YES, provide detailed information on the measures taken to prevent possible distortions of competition*

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1. Can the Company **confirm** **that it has not been found guilty of false declarations** in providing the information requested to verify the absence of exclusion reasons and that the Company has not concealed any aforementioned information? YES □ NO□

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D. OTHER EXCLUSION GROUNDS THAT MAY BE FORESEEN IN THE NATIONAL LEGISLATION OF THE CONTRACTING AUTHORITY OR CONTRACTING ENTITY MEMBER STATE

1. Are any of the individuals referenced in paragraph 3, art. 80 of the Legislative Decree. n. 50/2016 and listed above, in one of the causes for limitations, suspensions and prohibitions provided for in Article 67 of Legislative Decree no. 159? YES □ NO□
2. Was the Company **subject** **to a penalty of disqualification** asprovided in Art. 9 paragraph 2 letter c) of Legislative Decree no. 231/2001 or other sanction involving the prohibition of contracting with the public administration, including the interdictions referred to in Art 14 of Legislative Decree no. 81/2008 (According to art 80, paragraph 5, letter f) of the Legislative Decree 50/2016)? YES □ NO□

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1. Has the Company submitted, within the current tendering procedure and in related subcontracts documents, any false documents or attestations (according to art 80, paragraph 5, letter f) of the Legislative Decree 50/2016)? YES □ NO□
2. Is the Company registered in the electronic records kept by the ANAC Observatory as having made false statements or having submitted false documentation within the fold of tendering procedures and subcontracts (according to art 80, paragraph 5, letter f-ter) of the Legislative Decree 50/2016)? YES □ NO□
3. Is the Company registered in the electronic records kept by the ANAC Observatory as having made false statements or having submitted false documentation for the purpose of issuing the qualification certificate (according to art 80, paragraph 5, letter g) of the Legislative Decree 50/2016)? YES □ NO□
4. Did the Company **violate the prohibition of fiduciary registration** referenced in Article 17 of Law 19 March 1990, no. 55 (according to art 80, paragraph 5, letter h) of the Legislative Decree 50/2016)? YES □ NO□
5. Is the Company in compliance with the rules concerning **the right to work of people with disabilities** as stipulated in Law 12 March 1999, no. 68**,** or the relevant local law ruling the matter (according to art 80, paragraph 5, letter i) of the Legislative Decree 50/2016)? YES □ NO□ N/A□

*If N/A (not applicable), provide detailed information*

1. Was the Company **victim of the criminal offenses** envisaged and punished by Articles 317 and 629 of the Criminal Code aggravated under Article 7 of Decree-Law of 13 May 1991, no. 152, converted, with modifications, by Law no. 203 (according to art 80, paragraph 5, letter l) of the Legislative Decree 50/2016)? YES □ NO□

*If YES, indicate whether:*

1. *the facts were reported to the judicial authorities*
2. *the cases provided for in paragraph 1 of article 4 of Law 24 November 1981 no. 689 apply*

*(note: The circumstance in the first period must emerge from the indications based on the request for referral made against the defendant in the year prior to the date of the submission of the bid proposal and must be communicated attached with the generality of the subject who has omitted this complaint from the prosecutor of the Republic to ANAC, which carries out the publication of the notice on the Observatory site).*

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1. *<eventuale, solo per le procedure con più partecipanti* With regard to another competitor in the same award procedure, is the Company in a situation of control pursuant to article 2359 of the Italian civil code or in any relationship, including de facto, whereby the situation of control or relationship means that the proposals are attributable to a single decision-making body? YES □ NO□

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1. That the prohibition pursuant **to paragraph 16-*ter* of art. 53 of Italian Legislative Decree no. 165/2001** **does not apply** to this Company and that the Company insofar has not stipulated subordinate or independent contracts and, in any event, assigned tasks to former employees of Consip and/or of the contracting authority and/or to the individuals who held one of the offices listed in the Legislative Decree no. 39/2013, who ended their working relationship within the last three years and who, within the last three-year period of service, exercised official or negotiating powers on behalf of the said contracting authority vis-à-vis the Company itself.

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1. *< in caso di iniziative Sogei inserire quanto segue (ps cancellare solo per le iniziative Consip):* That the Company is in possession of the requirements of professional technical suitability referenced in art. 26, paragraph 1, lett. a) of Legislative Decree 81/08 for the execution of contractual activities>;

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1. That, with regard to the content of the Request for Proposals, for the purpose of any communication and/or requests for clarifications and/or integration of the documentation submitted pertaining to the procedure in question, the Company indicates the following address: (Town)\_\_\_\_\_\_\_\_\_\_\_\_\_ (Street/Road)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (tel.) \_\_\_\_\_\_\_\_\_\_\_\_\_\_, and authorises the transmission of notices to the following e-mail address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or the following fax number \_\_\_\_\_\_\_\_\_\_\_;

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1. *< eventuale, inserire in caso di affidamenti Sogei*: Does the Company intend to subcontract some of the contractual activities (within 30% of the overall value of the contract)? YES □ NO□

*If YES, indicate which contractual activities will be subcontracted\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

1. That the undersigned has been informed, pursuant to and in accordance with art. 13 of Legislative Decree no. 196/2003, that the personal data collected will be processed, also by means of IT tools, solely within the context of the procedure for which this declaration has been issued. The undersigned also confirms to accept any additional requests concerning personal data collection enclosed in the Request for Proposal;

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1. That the undersigned is aware that Consip S.p.A. reserves the right to conduct random checks to ensure the accuracy of the present declaration;

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1. That the undersigned is aware that, if the content of this declaration is found to be false, the contracting authority may terminate the Contract automatically, in accordance with art. 1456 of the Italian Civil Code and, potentially, retain the final deposit (if present).

\_\_\_\_\_\_, on\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_