**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 participation in the training course “Horizon Europe/H2020 Master of Finance and EC Audits”.

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\_\_\_\_\_\_\_\_, (*ex. 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\_\_\_\_\_\_\_\_, (*ex. 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\_\_\_\_\_\_\_\_, (*ex. 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) here 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 (ex. 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;

\*\*\*

1. to have taken full knowledge of the documentation of this procedure, to undertake to observe it in its entirety and that the goods and services offered comply with all the minimum requirements indicated therein;

\*\*\*

1. declares to have read and expressly accept the clauses and obligations contained in the **“Integrity Agreement”,** including the sanctions pursuant to art. 5 of the same Agreement also in relation to the criminal offenses referred to in paragraph 1, letter d), point i) of the same article;
2. that **there are OR there are not** possible conflicts of interest with respect to the parties involved in the tender procedure, which can be known at the time of submission of the offer by consulting the client's profile[[1]](#footnote-1), providing, in case of existence, the useful elements to allow the evaluation of the contracting authority;
3. who undertakes to declare **the existence OR non-existence** of possible conflicts of interest with respect to the tender commissioners and / or other subjects who will possibly intervene in the tender procedure after the submission of the offer (whose names will be communicated in time to the competitors) , providing, in case of existence, the useful elements to allow the evaluation of the contracting authority;

\*\*\*

1. that 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.

**\* \* \***

1. **GROUNDS FOR EXCLUSION FOLLOWING CRIMINAL PENALTIES ACCORDING TO PARAGRAPH 1 OF ARTICLE 80 OF LEGISLATIVE DECREE NO. N. 50/2016**
2. The persons who hold the roles pursuant to art. 80 paragraph 3 of Legislative Decree no. 50/2016 and listed above, **were not convicted** of one of the crimes listed in art. 80, paragraph 1 letter. a) ag) of the aforementioned decree, with a final sentence or criminal decree of conviction turned into irrevocable or sentence of application of the penalty requested pursuant to article 444 of the Criminal Procedure Code issued no more than five years ago or after which it is still an exclusion period established directly in the judgment is applicable; □

*or*

The subjects who hold the roles pursuant to art. 80 paragraph 3 of Legislative Decree no. 50/2016 and listed above, **have been convicted** by final judgment or conviction penalty sentence became irrevocable or sentence of application of the penalty requested pursuant to article 444 of the Code of Criminal Procedure for one of the crimes listed in art. 80, paragraph 1 letter. a) a g) of the aforementioned decree, with a sentence pronounced no more than five years ago or after which an exclusion period established directly in the sentence is still applicable and the conviction measures are produced in copy. □

*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. the economic operator **has satisfied** all the obligations relating to the payment of taxes, fees or social security contributions, whether in the country where it is established or in the Member State of the contracting authority or the contracting entity, if different from the country of establishment copy. □

*or*

the economic operator **has not satisfied** all the obligations relating to the payment of taxes, fees or social security contributions, whether in the country where it is established or in the Member State of the contracting authority or the contracting entity, if different from the country of establishment copy. □

*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**

1. The economic operator **has not 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 □

*or*

The economic operator **has 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 □

*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.*

Is the Company in one of the following situations or subject to a procedure for determining one of the following situations, without prejudice to the provisions of Articles 110 of Legislative Decree no. 50/2016 and 186-bis of the royal decree March 16, 1942, n. 267, as amended by the decree-law 18 April 2019, n. 32:

1. **Bankruptcy** YES □ NO□
2. **Forced liquidation**  YES □ NO□
3. **Arrangement with creditors** YES □ NO□
4. **Arrangement with creditors with continuity or blank** YES □ NO□

**d1)** The economic operator admitted to the arrangement with creditors with business continuity

declares that:

a) the details of the admission decision issued by the court of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ are as follows \_\_\_\_\_\_\_\_\_\_\_\_\_;

b) the details of the authorization to participate in the competitions issued by the delegated judge are as follows \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**d2)** The economic operator who has submitted an application for admission to the arrangement with creditors with business continuity, without the admission decree having yet been issued

declares that:

a) the details of the filing of the application for admission are as follows \_\_\_\_\_\_\_\_\_\_\_;

b) the provision of authorization to participate in tenders issued by the court of \_\_\_\_\_\_\_\_\_\_ is the following \_\_\_\_\_\_\_\_\_\_;

c) the person it intends to use pursuant to Article 110, paragraph 4, of the Code is the following \_\_\_\_\_\_\_\_\_\_.

1. The Company **was not guilty of serious professional misconduct** pursuant to paragraph 5c) of art. 80 of the Legislative Decree. 50/2016 □

*or*

The Company **was guilty of serious professional misconduct** pursuant to paragraph 5c) of art. 80 of the Legislative Decree. 50/2016 □

*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)*

1. The company **was not guilty** of the cases referred to in art. 80 co. 5 lett. c- bis) of Legislative Decree n. 50/2016 □

*Or*

The company **was guilty** of the cases referred to in art. 80 co. 5 lett. c- bis) of Legislative Decree n. 50/2016 □

that are listed below:

………………………………………………………………..

………………………………………………………………..

1. The company **was not guilty** of the cases referred to in art. 80 co. 5 lett. c- ter) of Legislative Decree n. 50/2016 □

*Or*

The company **was guilty** of the cases referred to in art. 80 co. 5 lett. c- ter) of Legislative Decree n. 50/2016 □

that are listed below:

………………………………………………………………..

………………………………………………………………..

*If YES, with respect to one of the cases referred to in art. 80 paragraph 5 letters c bis) and c ter) of the Legislative Decree no. 50/2016, the Company has adopted self-regulatory measures which are listed below:*

*……………………………………………..*

*……………………………………………..*

*(for example, it has fully compensated the damage, has formally pledged to compensate the damage, has taken measures of a technical or organizational nature and relating to personnel suitable for preventing further offenses; see the information provided in the tender documentation).*

1. Has the economic operator committed a **serious breach against one or more subcontractors**, recognized or ascertained with a final judgment (Article 80, paragraph 5, letter c-quater of Legislative Decree no. 50/2016)? YES □ NO□

If YES, produce a copy of the convictions and in any case, indicate the reference details below: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Also indicate whether the economic operator has adopted self-regulatory measures which are listed below: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. The Company **is aware** **of** **any conflict of interest** (linked to participation in the present procedure (according to paragraph 5 lett. d) of article 80 of the Legislative Decree. 50/2016) □

*Or*

The Company **is not aware of any conflict of interest** (linked to participation in the present procedure (according to paragraph 5 lett. d) of article 80 of the Legislative Decree. 50/2016) □

*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)*

1. The Company (or an associated company) **has 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) □

*Or*

The Company (or an associated company) **has not provided** consultancy to the awarding authority or the awarding individual(s) or otherwise participated in preparing the awarding procedure (according to paragraph 5 e) of article 80 of the Legislative Decree. 50/2016)? □

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

1. The Company **can 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? □

*Or*

The Company **cannot 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? □

\*\*\*

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, in one of the **causes for limitations, suspensions and prohibitions** provided for in Article 67 of Legislative Decree 6 September 2011, no. 159? YES □ NO□
2. The Company **was 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) □

*Or*

The Company **was not subject to a penalty of disqualification** as provided 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) □

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 bis 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□

*Or*

Despite having been a victim of the crimes provided for and punished by articles 317 and 629 of the criminal code aggravated pursuant to article 7 of decree-law 13 May 1991, n. 152, converted, with modifications, by the law 12 July 1991, n. 203, has the Company reported the facts **to the judicial authority**, unless the cases provided for by article 4, first paragraph, of the law of 24 November 1981, n. 689 (article 80, paragraph 5, letter l)? YES □ NO□

*(****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).*

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.
2. 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;
3. 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 \_\_\_\_\_\_\_\_\_\_\_.
4. that the Company may intend to subcontract within the limits of \_\_\_ (percentage share) the following contractual services \_\_\_\_\_\_ YES □ NO□

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

\* \* \*

1. By signing this document, the undersigned also declares, pursuant to art. 13 of the EU Regulation n. 2016/679 concerning the protection of individuals with regard to the processing of personal data, as well as the free circulation of such data, to have read the information on the processing of personal data contained in the Request for Proposal and to be aware that personal data, including judicial data collected will be processed, even with IT tools, exclusively in the context of this procedure and for the purposes described therein, and to have been informed about the rights set forth in articles from 15 to 22 of EU Regulation no. 2016/679. Furthermore, it undertakes to fulfill the obligations of information and consent, where necessary, towards the natural persons (Interested parties) whose personal data are provided as part of the assignment procedure, to allow the processing of their Personal Data by of Consip SpA or of the Customer for the purposes described in the information.
2. that at the time of submission of the offer there are ongoing cooperation, service and / or supply contracts, as per article 105 paragraph 3 c bis) of the Code, with third parties, giving specific indication of the name of the contractual counterpart , the date of signing of the deed and any willingness to resort to such contracts, specifying the related services. In the event that the tenderer is the successful bidder and intends to resort to the services of third parties under the declared contracts, he must submit these contracts when producing the documents for the stipulation.
3. 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;
4. 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

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

1. The ANAC Guidelines n. 494/2019 on the conflict of interest indicate, for the phase of "Publication of the announcement and setting deadlines for the receipt of offers", as the party involved in the RUP (for Consip we refer to the Rdp pursuant to art. 31 of Legislative Decree no. lgs. n. 50/2016 as well as the Rdp pursuant to art. 2 DL n. 76/2020 conv. with mod. in law n. 120/2020); another person involved must be considered the one who signs and publishes the announcement.

   With reference to the economic operator who submits the application form, the declaration is to be understood as referring to subjects with the appropriate powers to engage the same operator in the tender as well as the person making the declaration. [↑](#footnote-ref-1)