

DECLARATION OF BIDDER - ANNEX A

Rendered pursuant to and according to the sections 38, 46 and 47 of Presidential Decree 445 dated 28 December 2000

Part I: INFORMATION ON BUSINESS OPERATOR

Identification data	Reply
Name	
VAT no.	
Tax code	
Postal address	
Certified e-mail	

Form of bid	Reply
<p>Is the business operator submitting a bid together with others? If yes:</p> <p>a) Specify the role of the business operator in the group (lead company, in charge of specific duties ...):</p> <p>b) Specify the other business operators taking part in the bid:</p> <p>c) if relevant, name the group submitting the bid:</p>	<input type="radio"/> Yes <input type="radio"/> No
Portions	Reply
If relevant, specify the portion or portions of the tender for which the business operator intends to submit a bid (e.g. 1, 2, 3)	

Part II: INFORMATION ON BUSINESS OPERATOR'S REPRESENTATIVES

Specify the name of the person authorized to act as representative of the business operator for the purposes of the tender procedure:

Company representative(s)	Reply
Legal representative of the company:	
Place and date of birth:	Born in _____ on _____

Part III: REASONS FOR DISQUALIFICATION (*)

A: REASONS RELATED TO CRIMINAL RECORD

(section 80 paragraph 1 of Legislative Decree 50/2016):

1. membership of a criminal organization (criminal offences as specified in section 80 paragraph 1 subsection a) of Legislative Decree 50/2016;
2. corruption (criminal offences as specified in section 80 paragraph 1 subsection b) of Legislative Decree 50/2016);
3. fraud (criminal offences as specified in section 80 paragraph 1 subsection c) of Legislative Decree 50/2016);
4. criminal offences of terrorism or associated with terrorist activities (criminal offences as specified in section 80 paragraph 1 subsection d) of Legislative Decree 50/2016);
5. money laundering or financing of terrorism (criminal offences as specified in section 80 paragraph 1 subsection e) of Legislative Decree 50/2016);
6. child labour or human trafficking (criminal offences as specified in section 80 paragraph 1 subsection f) of Legislative Decree 50/2016);
7. any other crime leading, as an accessory penalty, to disqualification from stipulating agreements with the public administration (criminal offences as specified in section 80 paragraph 1 subsection g) of Legislative Decree 50/2016)

Disqualification due to criminal convictions	Reply
<p>Has the business operator, or any member of its Board of Directors, Management or Supervisory Body or a person who holds a representative, decision-making or control position in them (section 80, paragraph 3, Legislative Decree 50/2016) been definitively convicted of any of the above criminal offences no more than five years ago or with a sentence according to which an exclusion period is established for the competitor directly in the sentence itself?</p> <p>If yes, specify:</p> <p>a) the date of the conviction, which of the above criminal offences (in the grey area) was involved from 1 to 6, and the violated law rule (*),</p> <p>b) Details of the people convicted</p> <p>c) If the conviction specified the period of disqualification, state:</p> <p>If the relevant documentation is available in electronic format, specify:</p> <p style="text-align: center;">website address</p> <p style="text-align: center;">conviction pronounced by (authority or entity)</p> <p style="text-align: center;">document reference</p>	<input type="radio"/> Yes <input type="radio"/> No a) Date of conviction , criminal offence , law rules violated: b) c) Duration of the period of disqualification: from to and points concerned
<p>In the event of a conviction, has the business operator adopted measures to demonstrate its reliability despite the existence of a reason for disqualification ("self-disciplining" or "self cleaning")?</p> <p>If yes, specify the measures adopted:</p>	<input type="radio"/> Yes <input type="radio"/> No

B: DISQUALIFICATION FOR TAX OR SOCIAL SECURITY REASONS

(section 80 paragraph 4 of Legislative Decree 50/2016)

Payment of taxes or social security contributions:	Reply	
Has the business operator fulfilled all its tax and social security obligations?	<input type="radio"/> Yes <input type="radio"/> No	
If no , specify:	Taxes	Social security
a) The amount		
b) How was the irregularity established:		
1. By judicial or administrative ruling:	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
- Is the ruling definitive and binding?	date:	date:
- Give the date of the ruling or decision	From	to
- In case of ruling, specify the period of disqualification (if directly defined in the ruling):		
2. If not a ruling, how was the irregularity established?		
c) Has the business operator met its obligations by paying or committing in a binding way to pay taxes or social security contributions including any interest accrued and fines?	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
If yes, give details:		

C: REASONS OF INSOLVENCY, CONFLICT OF INTERESTS OR UNPROFESSIONAL CONDUCT

(section 80, paragraph 5, Legislative Decree 50/2016)

Details of insolvency, conflict of interests or unprofessional conduct:	Reply
Section a) Has the business operator, to its knowledge, failed to meet its obligations in relation to environmental, social or employment regulations?	<input type="radio"/> Yes <input type="radio"/> No
If yes , has the business operator adopted adequate measures to demonstrate its reliability despite the existence of such a reason for disqualification (self-disciplining or «self-cleaning»)?	<input type="radio"/> Yes <input type="radio"/> No
If yes:	
- Give details:	
If you are unsure what to reply, contact the Employment Agency or Public Employment Centres	
Section b) Is the business operator in one of the following situations:	
a. is undergoing a bankruptcy, or	<input type="radio"/> Yes <input type="radio"/> No
b. insolvency procedure or is in receivership, or	
c. has stipulated a creditors' agreement, or	
d. is in any comparable situation following a similar procedure pursuant to national laws and regulations, or	
e. has wound up its business?	
If yes :	
- Give details:	
- Specify the reasons why the business operator will nonetheless be able to carry out the agreement, in light of the national laws and provisions applicable in relation to the continuation of activities in the above mentioned situations.	

If the relevant documentation is available in electronic format, specify where: website issuing authority or entity document reference	
Section c) Has the business operator been found guilty of serious unprofessional conduct? If yes , give details: If yes, has the business operator adopted adequate measures to demonstrate its reliability despite the existence of such a reason for disqualification (self-disciplining or «self-cleaning»)?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No
Section d) Is the business operator aware of any conflict of interests in relation to its participation in the bid? (**) If yes , give details: If yes, has the business operator adopted adequate measures to demonstrate its reliability despite the existence of such a reason for disqualification (self-disciplining or «self-cleaning»)?	<input type="radio"/> Yes <input type="radio"/> No
Section e) Has the business operator signed agreements with others to falsify competition? If yes , give details: If yes, has the business operator adopted adequate measures to demonstrate its reliability despite the existence of such a reason for disqualification (self-disciplining or «self-cleaning»)?	<input type="radio"/> Yes <input type="radio"/> No
Section f) Has the business operator or a company with which it is associated provided consulting services to the Awarding Body or Entity or otherwise taken part in the preparation of the tender procedure? (**)	<input type="radio"/> Yes <input type="radio"/> No
Section g) Has the business operator ever held a tender with a public authority or another awarding entity which was terminated in advance, or held a public concession which was revoked in advance or has it ever been obliged to pay damages or other penalties arising from a prior tender award? If yes , has the business operator adopted adequate measures to demonstrate its reliability despite the existence of such a reason for disqualification (self-disciplining or «self-cleaning»)? If yes, give details:	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No
Section h) Can the business operator can confirm that: <ul style="list-style-type: none">• it has not rendered false statements in the information requested to verify the lack of reasons for disqualification and compliance with the tender requirements?• it has concealed no such information?• it has been able to promptly transmit all additional documents required by an Awarding Body or Entity?	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No
Section i) Can the business operator confirm that it has not attempted to unduly influence the decision-making process of the Awarding body or Entity, has not sought to obtain confidential information which might have provided undue advantage in the tender procedure, and has not negligently provided misleading information which might significantly impact on decisions regarding disqualification, selection or the award?	<input type="radio"/> Yes <input type="radio"/> No

Can the business operator declare:	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No
• that it did not incur in the causes for disqualification, suspension or prohibition indicated in section 67 of legislative decree 159 dated 6 September 2011 nor in attempted infiltration by the mafia as specified in section 85, paragraph 4 of the same decree?	<input type="radio"/> Yes <input type="radio"/> No
• that it has not violated the prohibition concerning registration in the name of a trust company as under section 17 of Law 55 dated 19 March 1990? The disqualification is for one year after definitively ascertaining the violation and is applicable where the violation has not been remedied;	<input type="radio"/> Yes <input type="radio"/> No
• that it complies with the provisions of Law 68/1999 regarding the safeguarding of the employment rights of the disabled?	<input type="radio"/> Yes <input type="radio"/> No
• that it did not incur in the interdiction provided for under section 9, paragraph 2, subsection c) of legislative decree 231 dated 8 June 2001 or in other penalties prohibiting agreements with the public administration, including the interdictions under section 14 of legislative decree 81 dated 9 April 2008?	<input type="radio"/> Yes <input type="radio"/> No
• that, under the definition of section 2359 of the Italian Civil Code, it does not control another bidder or have relations, including de facto relations, with a bidder implying that the bids were drawn up by a single decision-making centre?	<input type="radio"/> Yes <input type="radio"/> No

(* *if you are unsure about how to reply in relation to the declaration of reasons for disqualification as specified in section 80 of Legislative Decree 50/2016) information is available from the criminal records office of the Public Prosecutor. Bidders should ask for a "SEARCH" pursuant to section 33 of PRESIDENTIAL DECREE 313 dated 14 November 2002 (Unified Text of legislative provisions and regulations governing criminal records, the records of administrative sanctions following criminal offences and the relevant pending penalties). Unlike the general certificate pursuant to section 24 or the criminal record pursuant to section 25 of the Unified Text, this search, without certification validity, provides all records referring to the applicant including any convictions in sealed records, sentences involving solely the payment of fines, plea bargains and criminal convictions.*

(**) Section 24, paragraph 2, of Directive 24/2014 states: "The concept of conflict of interests includes at least the cases in which employees of an Awarding Body, or of a service provider working for the Awarding Body, intervening in the tender awarding procedure or being capable of influencing the result of such procedure have, directly or indirectly, a financial, economic or other type of personal interest that may be construed as undermining their impartiality and independence in the context of such tender procedure."

(***) See section 14 of Provincial Law 2/2016.

PART IV: SELECTION CRITERIA

ELIGIBILITY

Eligibility	Reply
Registration with the Companies' Register or equivalent professional or commercial register of the country of permanent establishment for activities similar to those specified in the Call for Bids; <i>((if registration is not required, specify the reasons and any documentation demonstrating that the bidder is authorized to carry out the activities included in the tender)</i>	Chamber of Commerce or Professional Register: Registration number and date: No. date: Any remarks

Final declarations (****)

The undersigned formally declares that the information provided in the above Parts from I to IV are truthful and accurate and that the undersigned is aware of the criminal penalties that will be charged in the event of false statements pursuant to section 76 of Presidential Decree 445 dated 28.12.2000.

The undersigned formally declares that it is able to promptly hand over, whenever requested, the certificates and other documentary proofs that the Tender Authority may directly view by accessing free data bases.

Place and date, Document signed by the legal representative

Information pursuant to “Code for the safeguarding of personal data” – Regulation UE 2016/679 (GDPR)

- a. Regulation UE 2016/679 (GDPR) guarantees that data processing is carried out in compliance with the rights, fundamental freedoms and dignity of those involved with particular reference to confidentiality, personal identity and the protection of personal data. Data processing the Administration intends to carry out shall be lawful and safeguard the rights of those involved, with guaranteed confidentiality.
- b. Pursuant to Regulation UE 2016/679 (GDPR) bidders are notified that:
 1. data provided by bidders shall be processed solely in relation to the tender procedure for which the documentation was submitted;
 2. processing shall be carried out via hard copy and/or IT instruments;
 3. conferring data is obligatory for the purposes of the procedure and the appointment for the services tendered;
 4. the Data Controller is Trentino Sviluppo S.p.A;
 5. the Data Processing Manager is the Director of Procurement and Tenders of Trentino Sviluppo S.p.A;
 6. at any time a bidder may exercise his/her rights with the Data Controller, pursuant to Regulation UE 2016/679 (GDPR).