ver. 1.0

Form template for the European Single Procurement Document (ESPD)

**Part II: Information concerning the economic operator**

A: INFORMATION ABOUT THE ECONOMIC OPERATOR

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| **Identification:** | **Answer:** |
| Name: |  |
| VAT number, if applicable: |  |
| If no VAT-number is applicable, please indicate another national identification number, if required and applicable: |  |
| Postal address: |  |
| Contact person or persons: ([[1]](#footnote-1)) |  |
| Telephone: |  |
| E-mail: | also indicate the certified e-mail address |
| Internet address (web address) (if applicable): |  |
| **General information:** | **Answer:** |
| Is the economic operator a Micro, a Small or a Medium-Sized Company ([[2]](#footnote-2))? | Yes  No |
| **Only in case the procurement is reserved:** is the economic operator a sheltered workshop, a 'social business' ([[3]](#footnote-3)) or will it provide for the performance of the contract in the context of sheltered employment programmes?  **If yes,** | *(It is specified that reference is made to Article 112 of Legislative Decree no. 50/2016 and subsequent amendments)*  Yes  No |
| what is the corresponding percentage of disabled or disadvantaged workers? |  |
| If required, please specify which category or categories of disabled or disadvantaged workers the employees concerned belong to: |  |
| If applicable, is the economic operator registered on an official list of approved economic operators or does it have an equivalent certificate (e.g. under a national (pre)qualification system)? | *(It is specified that reference is made to Article 90 of Legislative Decree no. 50/2016 and subsequent amendments)*  Yes  No  Not applicable |
| **If yes:**  **Please answer the remaining parts of this Section, Sections B and, ~~where relevant, C of this Part, complete Part V, where applicable~~, and, in any case, fill in and sign Part VI.** |  |
| 1. Please provide the name of the list or certificate and the relevant registration or certification number, if applicable: |  |
| 1. If the certificate of registration or certification is available electronically, please state: | (web address, issuing authority or body, precise reference of the documentation): |
| 1. Please state the references on which the registration or certification is based, and, where applicable, the classification obtained in the official list: ([[4]](#footnote-4)) |  |
| 1. Does the registration or certification cover all of the required selection criteria? | Yes  No |
| **If no:**  **please complete the missing information in Part IV, Sections ~~A, B, C or~~ D as the case may be**  ***~~ONLY if this is required in the relevant notice or procurement documents:~~*** |  |
| 1. ~~Will the economic operator be able to provide a certificate with regard to the payment of social security contributions and taxes or provide information enabling the contracting authority or contracting entity to obtain it directly by accessing a national database in any Member State that is available free of charge?~~ | ~~Yes~~  ~~No~~ |
| ~~If the relevant documentation is available electronically, please indicate:~~ | ~~(web address, issuing authority or body, precise reference of the documentation):~~ |
|  | Where applicable: in the case of public works contracts worth more than 150,000 euros, is the economic operator in possession of a certificate issued by Company Certification Bodies (CCB), pursuant to art. 84 of the Code (ordinary sectors)?  Yes  No  or, |
|  | is in possession of a certificate issued within the Qualification Systems pursuant to art. 134 of the Code, provided for special sectors?  Yes  No  If yes: |
|  | 1. Indicate the details of the attestation (name of the attestation body or Qualification system, number and date of the attestation) |
|  | 1. If the qualification attestation is available electronically, please indicate:   (web address, issuing authority or body, precise reference of the documentation): |
|  | 1. Please indicate, if applicable, the qualification categories which the attestation refers to: |
|  | 1. ~~Does the qualification attestation include all required selection criteria?~~   ~~Yes  No~~ |

B: Information about representatives of the economic operator

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| *Where applicable, please indicate the name(s) and address(es) of the person(s) empowered to represent the economic operator for the purposes of registering with the Supplier Register of the eAppaltiFVG platform:* |

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| **Representation, if any:** | **Answer:** |
| Full name: |  |
| accompanied by the date and place of birth, if required: |  |
| Position/Acting in the capacity of: |  |
| Postal address: |  |
| Telephone: |  |
| E-mail: |  |
| If needed, please provide detailed information on the representation (its forms, extent, purpose ...): |  |

**Part III: Exclusion grounds**

A: GROUNDS RELATING TO CRIMINAL CONVICTIONS

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| **Article 57(1) of Directive 2014/24/EU sets out the following reasons for exclusion:**   1. **Participation in a criminal organisation ([[5]](#footnote-5))** 2. **Corruption([[6]](#footnote-6))** 3. **Fraud([[7]](#footnote-7));** 4. **Terrorist offences or offences linked to terrorist activities ([[8]](#footnote-8));** 5. **Money laundering or terrorist financing ([[9]](#footnote-9));** 6. **Child labour and other forms of trafficking in human beings ([[10]](#footnote-10))** |

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| **Grounds relating to criminal convictions under national provisions implementing the grounds set out in Article 57(1) of the Directive** | ***Please refer to all the cases set out in art. 80(1), referred to the subjects mentioned in paragraph 3 of the same article, of Legislative Decree No. 50/2016 and subsequent amendments***  **Answer:** |
| Has the **economic operator** itself or **any person** who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein **been the subject of a conviction by final judgment** for one of the reasons listed above, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable?  Please indicate if the subjects referred to in art. 80(3), of Legislative Decree No. 50/2016 and subsequent amendments have been convicted with a final judgement or an irrevocable penal decree or judgement applying the penalty required pursuant to art. 444 of the Criminal Procedure Code for the offences listed in art. 80(1) letters a) to g) with a judgement issued no more than five years ago or, regardless of the date of the judgement, following which an exclusion period is still applicable established directly in the judgement or deducible pursuant to art. 80(10) of Legislative Decree No. 50/2016. | Yes  No  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation):        ([[11]](#footnote-11)) |
| If yes, please indicate ([[12]](#footnote-12)): | *Please refer to art. 80(1) letters from a) to g) of Legislative Decree No. 50/2016 and subsequent amendments* |
| 1. Date of conviction, specify which of points 1 to 6 is concerned and the reason(s) for the conviction, | date:  points/letter of art. 80:  reasons: |
| 1. Identify who has been convicted |  |
| 1. **Insofar as established directly in the conviction:** | Length of the period of exclusion:  points/letter concerned:  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): |
| In case of convictions, has the economic operator taken measures to demonstrate its reliability despite the existence of a relevant ground for exclusion ([[13]](#footnote-13)) ('Self-Cleaning')? | *Please refer to art. 80(7) of Legislative Decree No. 50/2016 and subsequent amendments*  Yes  No |
| **If yes**, please describe the measures taken ([[14]](#footnote-14)): | If yes, please indicate:   1. Has the final conviction recognised the attenuating circumstance of the collaboration as defined by the individual offences?   Yes  No   1. Does the final conviction involve a custodial sentence not exceeding 18 months?   Yes  No   1. In the event of an affirmative answer for hypotheses 1) and/or 2), have the subjects referred to in art. 80(3), of the Code:  * fully compensated the damage?   Yes  No   * formally committed themselves to compensating the damage?   Yes  No   1. For the hypotheses 1) and 2), has the economic operator taken measures of a technical or organisational nature relating to personnel suitable for preventing further offences or crimes?   Yes  No  If yes, please list the relevant documentation the relevant documentation and, if the same is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation):     1. If the convictions have been issued against terminated subjects pursuant to art. 80(3), please indicate the measures that demonstrate the complete and effective dissociation from the sanctioned conduct: |

B: GROUNDS RELATING TO THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS

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| Payment of taxes or social security contributions: | ***Please refer to art. 80(4) of Legislative Decree No. 50/2016 and subsequent amendments***  **Answer:** | |
| Has the economic operator met all its **obligations relating to the payment of taxes or social security contributions**, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment? | Yes  No | |
| **If not**, please indicate: | **Taxes** | **Social security contributions** |
| 1. Country or Member State concerned |  |  |
| 1. What is the amount concerned? |  |  |
| 1. How has this breach of obligations been established: |  |  |
| 1. Through a judicial or administrative decision: | Yes  No | Yes  No |
| * Is this decision final and binding? | Yes  No | Yes  No |
| * Please indicate the date of conviction or decision. |  |  |
| * In case of a conviction, insofar as **established directly therein**, the length of the period of exclusion: |  |  |
| 1. By other means? Please specify: |  |  |
| 1. Has the economic operator fulfilled its obligations by paying or entering into a binding arrangement with a view to paying the taxes or social security contributions due, including, where applicable, any interest accrued or fines? | Please refer to art. 80(4), last phrase, of Legislative Decree No. 50/2016 and subsequent amendments  Yes  No  **If yes**, please provide details: | Please refer to art. 80(4), last phrase, of Legislative Decree No. 50/2016 and subsequent amendments  Yes  No  **If yes**, please provide details: |
| If the relevant documentation concerning payment of taxes or social contributions is available electronically, please indicate: | (web address, issuing authority or body, precise reference of the documentation): ([[15]](#footnote-15)) | |

C: GROUNDS RELATING TO INSOLVENCY, CONFLICTS OF INTERESTS OR PROFESSIONAL MISCONDUCT ([[16]](#footnote-16))

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| **Information concerning possible insolvency, conflict of interest or professional misconduct** | **Answer:** |
| Has the economic operator, **to its knowledge**, breached its **obligations** in the fields of **environmental, social and labour law** ([[17]](#footnote-17))? | *Please refer to art. 80(5), letter a) of Legislative Decree No. 50/2016 and subsequent amendments (also includes occupational health and safety obligations)*  Yes  No |
|  | **If yes**, has the economic operator taken measures to demonstrate its reliability despite the existence of this ground for exclusion (Self-Cleaning) (Please refer to Article 80(7) of Legislative Decree No. 50/2016)?  Yes  No |
|  | **If yes**, please indicate:   1. Has the economic operator  * fully compensated the damage?   Yes  No   * Has formally committed itself to compensating the damage?   Yes  No |
|  | 1. Has the economic operator taken measures of a technical or organisational nature relating to personnel suitable for preventing further offences or crimes?   Yes  No  If yes, please list the relevant documentation the relevant documentation and, if the same is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): |
| Is the economic operator in any of the following situations: | *Please refer to art. 80(5) of Legislative Decree No. 50/2016 and subsequent amendments* |
| 1. **Bankrupt**, or | Yes  No |
| 1. The **subject of insolvency** or winding-up proceedings, or | Yes  No  **It is specified that this also includes compulsory liquidation** |
| 1. In an **arrangement with creditors**, or | Yes  No |
| 1. In any analogous situation arising from a similar procedure under national laws and regulations, or | Yes  No |
| 1. That its assets are being administered by a liquidator or by the court, or | Yes  No |
| 1. That its business activities are suspended? | Yes  No |
| **If yes:**   * Please provide details |  |
| * Please indicate the reasons for being able nevertheless to perform the contract, taking into account the applicable national rules and measures on the continuation of business in those circumstances? | The cases of exemption provided for by our law are as follows:  In the event of bankruptcy:   * Has the bankruptcy trustee been authorised for the operation on a provisional basis and has been authorised by the appointed judge to participate in procedures for the awarding of public contracts (Article 110(3), letter a) of Legislative Decree No. 50/2016 and subsequent amendments)?   Yes  No  If yes, please indicate the details of the provisions    In case of arrangement with business continuity:   * Has it been authorised by the appointed judge pursuant to art. 110(3), letter a) of the Code?   Yes  No   * Has the participation in the awarding procedure been made conditional, pursuant to art. 110(5), on pooling with another economic operator?   Yes  No |
| If the relevant documentation is available electronically, please indicate: | (web address, issuing authority or body, precise reference of the documentation): |
| Is the economic operator guilty of **grave professional misconduct**? | *Reference is made to art. 80(5), letter c), of Legislative Decree No. 50/2016*  Yes  No |
| **If yes**, please provide details: | **If yes**, the declarations required by the Italian legal system are as follows:  Has the economic operator taken "Self-cleaning" measures?  Yes  No  **If yes**, please indicate:   1. Has the economic operator:  * Fully compensated the damage?   Yes  No   * Formally committed itself to compensating the damage?   Yes  No   1. Has the economic operator taken measures of a technical or organisational nature relating to personnel suitable for preventing further offences or crimes?   Yes  No  If yes, please list the relevant documentation    and, if available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): |
| **If yes**, has the economic operator taken self-cleaning measures? |  |
| 1. Has the economic operator:  * Fully compensated the damage? * Formally committed itself to compensating the damage? | Yes  No  Yes  No |
| 1. Has the economic operator taken measures of a technical or organisational nature relating to personnel suitable for preventing further offences or crimes? | Yes  No  If yes, please list the relevant documentation the relevant documentation and, if the same is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): |
| Has the economic operator experienced that a prior public contract, a prior contract with a contracting entity or a prior concession contract was terminated early, or that damages or other comparable sanctions were imposed in connection with that prior contract? | Yes  No |
| **If yes**, please provide details: | **If yes**, has the economic operator taken "Self-cleaning" measures?  Yes  No  If yes, please describe the measures taken: |

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

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| --- | --- |
| **Purely national exclusion grounds** (Article 80(2), (5), letters *f), f-b) g), h), i), l), m)* of Legislative Decree No. 50/2016 and subsequent amendments | **Answer:** |
| Are the economic operator and the subjects referred to in paragraph 3 of art. 80 subject to causes of forfeiture, suspension or prohibition under art. 67 of Legislative Decree 6 No. 159 of September 2011, or an attempted mafia infiltration pursuant to art. 84(4) of the same decree, without prejudice to the provisions of articles 88(4-a) and 92(2-3) of Legislative Decree No. 159 of 6 September 2011, with reference to anti-mafia communications and anti-mafia information respectively (Article 80(2) of the Code)? | Yes  No  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation):        ([[18]](#footnote-18)) |
| Is the economic operator in any of the following situations: |  |
| 1. Has been subject to the interdictory sanction referred to in [art. 9(2) letter c) of Legislative Decree No. 231 of 8 June 2001,](http://www.bosettiegatti.eu/info/norme/statali/2001_0231.htm#09)  or to another sanction that involves the prohibition of entering into contracts with the public administration, including the interdictory measures referred to in [art. 14 of Legislative Decree No. 81 of 9 April 2008](http://www.bosettiegatti.eu/info/norme/statali/2008_0081.htm#014)  (Article 80(5) letter *f)*; | Yes  No  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): |
| 1. Is listed in the computer database kept by the ANAC Observatory for having submitted false representations or false documentation in the tender procedures and in the assignments of subcontracts or for the issuance of the qualification certificate, for the period of the registration (Article 80(5), letters f-b) and *g*). | Yes  No  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): |
| 1. Has violated the ban on the fiduciary heading referred to in art. 17 of Law No. 55 of 19 March 1990. (Article 80(5) letter *h*); | Yes  No |
| If yes:   * Please indicate the date of the definitive assessment and the issuing authority or body: |  |
| * Has the violation been removed? | Yes  No  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): |
| 1. Is in compliance with the rules governing the right to work of disabled people referred to in [Law No. 58 of 12 March 1999](http://www.bosettiegatti.eu/info/norme/statali/1999_0068.htm#17) (Article 80(5) letter *i*)? | Yes  No  Is not required to comply with Law No. 68/1999  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation):    In the event that the operator is not required to comply with Law No. 68/1999, please indicate the reasons: (number of employees and/or other) |
| 1. Was the operator a victim of the crimes mentioned and punished by [articles 317](http://www.bosettiegatti.eu/info/norme/statali/codicepenale.htm#317) and [629 of the Criminal Code](http://www.bosettiegatti.eu/info/norme/statali/codicepenale.htm#629) aggravated pursuant to art. 7 of Decree-Law No. 152 of 13 May 1991, converted, with amendments, by Law No. 203 of 12 July 1991? | Yes  No |
| If yes:   * Has the operator reported the facts to the judicial authority? | Yes  No |
| * Do the cases provided for by art. 4(1) of Law No. 689 of 24 November 1981 (Article 80(5), letter l) apply? | Yes  No  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): |

**Part IV: Selection criteria**

Concerning the selection criteria, the economic operator declares that:

A: SUITABILITY

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| --- | --- |
| **Suitability** | **Answer** |
| 1. **It is enrolled in the relevant professional or trade registers kept in the Member State of its establishment** |  |
| If the relevant documentation is available electronically, please indicate: | (web address, issuing authority or body, precise reference of the documentation): |

D: Quality assurance schemes and environmental management standards

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| **Quality assurance schemes and environmental management standards** | ***Please refer to art. 87 of Legislative Decree No. 50/2016 and subsequent amendments* Answer:** |
| Will the economic operator be able to produce **certificates** drawn up by independent bodies attesting that the economic operator complies with the required **quality assurance standards**, including accessibility for disabled persons? | Yes  No |
| If not, please explain why and specify which other means of proof concerning the quality assurance scheme can be provided: |  |
| If the relevant documentation is available electronically, please indicate: | (web address, issuing authority or body, precise reference of the documentation): |
| Will the economic operator be able to produce **certificates** drawn up by independent bodies attesting that the economic operator complies with the required **environmental management systems or standards**? | Yes  No |
| **If not**, please explain why and specify which other means of proof concerning the **environmental management systems or standards** can be provided: |  |
| If the relevant documentation is available electronically, please indicate: | (web address, issuing authority or body, precise reference of the documentation): |

**Part VI: Concluding statements**

The undersigned declares/declare formally that the information reported ~~in the preceding parts from II to V~~ are true and correct and that the undersigned is/are aware of the consequences of a serious false declaration (Presidential Decree No. 445/2000).

The undersigned declares/declare to be able, upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where:

(a) The contracting authority or contracting entity has the possibility of obtaining the supporting documentation concerned directly by accessing a national database in any Member State that is available free of charge ([[19]](#footnote-19)), or

b) As of 18 October 2018 at the latest ([[20]](#footnote-20)), the contracting authority or contracting entity already possesses the documentation concerned.

The undersigned formally consents/consent to the Contracting authority gaining access to documents supporting the information.

Date, place and, where required or necessary, signature(s):

1. () Please repeat the information concerning contact persons as many times as needed. [↑](#footnote-ref-1)
2. () SeeCommission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized companies, (OJ L 124, 20.5.2003, p. 36). This information is required for statistical purposes only.

   Micro companies: companies which employs fewer than 10 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 2 million.

   Small companies: companies which employs fewer than 50 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 10 million.

   Medium companies, companies which are neither micro nor small and which employ fewer than 250 persons and which have an annual turnover not exceeding EUR 50 million, and/or an annual balance sheet total not exceeding EUR 43 million. [↑](#footnote-ref-2)
3. () A 'social business' has as its main purpose the social and professional integration of disabled or disadvantaged people. [↑](#footnote-ref-3)
4. () The references and the classification, if any, are set out on the certification. [↑](#footnote-ref-4)
5. () As defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42). [↑](#footnote-ref-5)
6. () As defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, OJ C 195, 25.6.1997, p. 1, and in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the economic operator. [↑](#footnote-ref-6)
7. () Within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (OJ C 316, 27.11.1995, p. 48). [↑](#footnote-ref-7)
8. () As defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p. 3). This exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision. [↑](#footnote-ref-8)
9. () As defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15). [↑](#footnote-ref-9)
10. () As defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1). [↑](#footnote-ref-10)
11. () Please repeat as many times as needed. [↑](#footnote-ref-11)
12. () Please repeat as many times as needed. [↑](#footnote-ref-12)
13. () In accordance with national provisions implementing Article 57(6) of Directive 2014/24/EU. [↑](#footnote-ref-13)
14. () Taking into account the character of the crimes committed (punctual, repeated, systematic ...), the explanation should show the adequacy of the measures to taken. [↑](#footnote-ref-14)
15. () Please repeat as many times as needed. [↑](#footnote-ref-15)
16. () See art. 57(4), of Directive 2014/24/EU. [↑](#footnote-ref-16)
17. () As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) ofDirective 2014/24/EU. [↑](#footnote-ref-17)
18. () Please repeat as many times as needed. [↑](#footnote-ref-18)
19. () Provided that the economic operator has submitted the necessary information (*web address, issuing authority or body, precise reference of the documentation) in order to allow the contracting authority or contracting entity to acquire the documentation. If necessary, please enclose the relevant consent.* [↑](#footnote-ref-19)
20. () Depending on the national implementation of the second subparagraph of Article 59(5) of Directive 2014/24/EU. [↑](#footnote-ref-20)