

ENTRY APPLICATION

**Contract notice for participation in the “DYNAMIC PURCHASING SYSTEM FOR THE
SUPPLY OF GENOTYPING SERVICES” for the Human Technopole Foundation,
pursuant to section 55 of Legislative Decree no. 50/2016**

(This declaration must be produced together with an unauthenticated photocopy of an identity document of the signing party, pursuant to section 38 of Presidential Decree no. 445/2000. Replacement of certificates or declarations with unauthenticated photocopies and duplicates in the forms provided for by sections 18 and 19 of Presidential Decree no. 445/2000 is not permitted)

The undersigned _____

born in _____ on __/__/__, tax code _____, in his/her position as _____,
(appointed on __/__/__, term of office _____) and Authorised Representative (endowed
with all the necessary powers for participation in the Dynamic Purchasing System in question,
without limitation) of the economic operator:

TITLE or NAME	
CORPORATE STYLE	
ADMINISTRATION TYPE	
VAT NUMBER	
TAX CODE	
REGISTERED OFFICE	
CERTIFIED E-MAIL (PEC) / E-MAIL	
PHONE	
COLLECTIVE LABOUR AGREEMENT APPLIED	
SECTOR	
PRIMARY ATECO CODE	
NUMBER OF EMPLOYEES	

The Tenderer also

DECLARES

- a) to be fully aware of the documentation relating to the Dynamic Purchasing System in question, acknowledging and accepting the standards and rules established in relation to participation pursuant to the Contract Notice, the Contract Specifications, and the related annexes;
- b) that the enterprise has no agreements and/or procedures in force or entered into limiting competition and the market, prohibited pursuant to the applicable legislation, including Article 81 et seq. of the EC Treaty and section 2 et seq. of law no. 287/1990, and that this Admission Application and, if required, offer, will be prepared in full compliance with said legislation;
- c) that the prohibitive grounds pursuant to section 53 subsection 16-ter of Legislative Decree no. 165/2001 are not applicable and, in particular, that the economic operator has not entered into employment contracts or self-employment contracts with - or anyway has not awarded offices to - ex-employees of administrations and bodies who terminated their contractual relationship less than three years ago, who exercised powers of authorisation or negotiation on behalf of the foregoing bodies during the final three years of service;
- d) to be aware of the fact that the Human Technopole Foundation reserves the right to carry out checks on the truthfulness of the declarations provided;
- e) to be aware that, if any untruthfulness of the contents of this declaration is identified, the Tenderer will be excluded from the Dynamic Purchasing System for which it is issued or, in the case of a successful bidder for a Specific Contract, it will automatically forfeit the award, which will be cancelled and/or revoked; moreover, if untruthfulness of the contents of this declaration is identified after signing of the contract, the contract can be terminated by law by Human Technopole pursuant to section 1456 et seq. of the Civil Code.

The tenderer also declares

A) declaration concerning enrolment in the Business Register

(in case of a company with its registered office in a country other than Italy, give the equivalent data applicable in the country in question, pursuant to the provisions of section 83 subsection 3 of Legislative Decree no. 50/2016)

1. that this *Enterprise* has been enrolled since _____ in the Business Register of _____, with number _____;

2. that, as shown in the certificate of registration in the Business Register, this *Enterprise* has the following corporate object: _____ (state the activities) _____;
3. that, as resulting from the certificate of registration in the Business Register, administration of the Enterprise is carried out by (fill in only the relevant field):
- Sole Director, in the person of: name _____ surname _____, born in _____, on _____, tax code _____, resident in _____, appointed on _____ until _____, with the following powers associated with the _____ office: _____;
 - Board of Directors composed of no. _____ members and, in particular, of: (enter the particulars of all Directors) name _____, surname _____, born in _____, on _____, tax code _____, resident in _____, position _____ (Chair of the Board of Directors, Managing Director, Director...), appointed on _____ until _____, with the following powers associated with the office: _____;
name _____, surname _____, born in _____, on _____, tax code _____, resident in _____, position _____ (Chair of the Board of Directors, Managing Director, Director...), appointed on _____ until _____, with the following powers associated with the office: _____;
name _____, surname _____, born in _____, on _____, tax code _____, resident in _____, position _____ (Chair of the Board of Directors, Managing Director, Director...), appointed on _____ until _____, with the following powers associated with the office: _____;
 - Management Board composed of no. _____ members and, in particular, of: (enter the particulars of all Directors) name _____, surname _____, born in _____, on _____, tax code _____, resident in _____, position _____

_____ (*Chair of the Management Board, Managing Director, Director...*),
appointed on _____ until _____, with the following powers associated with
the office: _____

_____;
name _____, surname _____, born in _____, on _____, tax
code _____, resident in _____, position _____ (*Chair of the
Management Board, Managing Director, Director...*), appointed on _____ until
_____, with the following powers associated with the office:

_____;
name _____, surname _____, born in _____, on _____, tax
code _____, resident in _____, position _____ (*Chair of the
Management Board, Managing Director, Director...*), appointed on _____ until
_____, with the following powers associated with the office:

_____;

4. (*eventual, if present*) that the current technical officer(s) is(are):

name _____, surname _____, born in _____, on _____, tax code
_____, resident in _____, appointed on _____ until _____;

5. (*if applicable*) that the references of the affidavit related to the full power of attorney or special
power of attorney of the agent who signs tender declarations and/or notices are as follows:

Notary dott. _____, deed of _____, file _____;

6. a) that the shareholders register of this Enterprise contains the shareholders listed below, holders
of the shares/capital quotas shown alongside each one:

_____ %

_____ %

_____ %

total 100 %

- b) that (*fill in/tick the relevant field or cross out/remove the option that does not concern the
company's situation*):

- ☐ based on the contents of the shareholders register and further to communications received
by the holders of the equity interests, the following indefeasible rights of entitlement or

guarantee exist on shares/quotas with voting rights:

_____ % in favour of _____;

_____ % in favour of _____;

or

- ☐ there are no indefeasible rights of entitlement or guarantee existing on shares/quotas with voting rights;

c) that in the general meetings held in the last business year prior to the date of this declaration *(fill in/tick the relevant field or cross out/remove the option that does not concern the company's situation)*:

- ☐ the following persons have exercised their voting right based on an irrevocable proxy or they are anyway entitled to use said faculty:

_____ on behalf of _____;

_____ on behalf of _____;

or

- ☐ no voting right was exercised based on an irrevocable proxy or on an equivalent title authorising the exercise;

7. that the Enterprise's tax compliance situation pursuant to the provisions of section 80 of Legislative Decree no. 50/2016 can be ascertained by the competent Department of the Tax Authorities of _____;

8. that the *Enterprise* has a number of employees, calculable pursuant to section 4 of Law no. 68/1999, equivalent to _____ units enrolled in the single employment register and that *(fill in/tick the relevant field or cross out/remove the option that does not refer to the company's situation)*:

- ☐ it is in compliance with the rules regulating the right to work of disabled persons pursuant to Law no. 68/1999, and the associated certification can be requested from the competent Provincial Labour department of _____;

or

- ☐ it is not subject to said rules;

9. that the number of employees, updated to _____, is _____ persons;

B) declaration concerning requirements in terms of personal character

10. that the economic operator is not in any of the situations of exclusion from participation in the tender pursuant to section 80 of Legislative Decree no. 50/2016. In particular, the *Enterprise* declares that there are no exclusion grounds pursuant to section 80 subsections 1, 2, 4, and 5 (Note that the economic operator must state all evidence of offences – also in the presence of a non-final judgement – unlawful acts and contractual breaches both committed by natural persons, as at the following point, and by legal entities, in order to allow the Contracting Authority to make the independent evaluations ex section 80 of Legislative Decree 50/2016. Note that the declarations must be issued even if already supplied beforehand in another tender procedure published by Human Technopole. Failure to submit a declaration and submission of untruthful declarations, also if referred to offences, unlawful acts and contractual breaches other than those considered by the mentioned section 80, will result in exclusion from the procedure);
11. that with reference to subsection 1 letters a), b), c), d), e), f), g), to subsection 2, and to subsection 5 letter l) of section 80 of Legislative Decree no. 50/2016, there are no exclusion grounds affecting the company and in relation to (*strike through/remove the options that are not referred to your specific company situation*)
- the proprietor and technical officer, if present (*in the case of a sole proprietorship*);
 - the partners and the technical officer, if present (*in the case of an unlimited partnership*);
 - the general partners and the technical officer, if present (*in the case of a limited partnership*);
 - the members of the board of directors vested with powers of legal representation, management or supervision or the parties vested with powers of representation, management or control, the technical officer or the natural person sole partner, or the majority stockholder in the case of a company pursuant to the case provided for by subsection 3 of the mentioned section 80 (*in the case of a different type of company or consortium*);
 - (*if applicable*) the attorney(s) who sign(s) this declaration and/or technical offer and/or economic offer and/or additional offer documentation;
 - (*if applicable*) persons who left their company position in the year before the date of publication of the contract notice (in case of sale/leasing of the company or line of business, incorporation or company merger occurring in the year preceding the date of

publication of the contract notice, indicate also the parties who worked for the divesting/lessor company, incorporated or companies merged in the year preceding publication of the call for tender and to persons who terminated the associated offices in the same period);

(if applicable, if the previous point has not been declared in relation to persons who left their office)

- that there are no parties who have terminated their company office in the year preceding the date of publication of the contract notice;

12. that, with reference to subsection 2 of section 80 of Legislative Decree 50/2016, the conditions therein described are not present.

(IF ONE OR MORE EXCLUSION GROUNDS AS AT THE PREVIOUS POINTS ARE PRESENT (points B, nos. 10, 11 and 12), THE TENDERER MUST DECLARE SUCH CASES AND ENTER THEM IN THE SPACE BELOW, WITH THE PARTICULARS - name, surname, place and date of birth, place of residence, tax code, and institutional office - OF THE PARTY IN QUESTION)

(note that:

- *also any judgements for which the party has benefited from the faculty of non-disclosure, must be stated;*
 - *the exclusion and ban shall operate if a sentence or decree have been issued against the parties in question. In any case, with reference to the declaration as at the previous point B). 8., the exclusion and ban shall also operate for parties who terminated their office in the year preceding the date of publication of the contract notice, if the company does not demonstrate that there has been a complete and effective dissociation from the sanctioned criminal conduct;*
 - *with reference to the declaration as at the previous point B). 8., the exclusion and ban, in any case, are not applicable when the offence has been decriminalised, or if rehabilitation has occurred, or, in the case of judgement to a perpetual additional sentence, when this has been declared to have lapsed pursuant to section 179, subsection 7 of the criminal code, or when the offence has been declared to have lapsed after conviction, or in the case of revocation of the sentence);*
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13. that the *Enterprise* (fill in/tick the relevant field and cross out or remove the options that do not concern the company's situation):

- declares to not be in any of the situations of control, pursuant to section 2359 of the Civil Code, with any party, or in a relationship, also de facto, that involves the assignment of decisions to another decision-making centre, and to have made the offer independently;
or, alternatively
- declares to be unaware of the participation in this procedure of parties who are, with respect to the *Enterprise*, in one of the situations of control pursuant to section 2359 of the Civil Code, and to have made the offer independently;
or, alternatively
- declares to be aware of the participation in this procedure of parties who are, with respect to the *Enterprise*, in one of the situations of control pursuant to section 2359 of the Civil Code, and to have made the offer independently;

14. that with reference to the obligations, constraints, and prohibitions applicable in relation to protection of competition and the market, including those pursuant to Article 81 et seq. of the EC Treaty and pursuant to section 2 et seq. of Law no. 287/1990, this *Enterprise*:

- with reference to this tender, is not engaged in nor has entered into agreements and/or practices limiting competition and the market prohibited by the applicable legislation and that, anyway, the offer has been prepared in full compliance with said legislation,
- is aware that any adoption, within this tender, of prohibited competition and market limiting practices and/or agreements pursuant to the applicable legislation, will be assessed by the Human Technopole Foundation in the context of the following tender procedures called by the Human Technopole Foundation, for the purpose of motivated exclusion from participation in said procedures in compliance with statutory legislation;

15. that, pursuant to the provisions of section 48 subsection 7 of Legislative Decree no. 50/2016, the *Enterprise* has not submitted bids in more than one joint venture or consortium, either individually or as a member of a joint venture or consortium;

C) declaration concerning the procedure

16. to be aware of the fact that the Human Technopole Foundation reserves the right to carry out checks, also on a sample basis, on the truthfulness of the declarations issued by this Enterprise at the time of admission and, anyway, for the entire duration of the Dynamic Purchasing System, pursuant to statutory legislation;
17. to have acknowledged fully and to accept the matters provided for by the Contract Notice and by the Contract Specifications concerning the Dynamic Purchasing System;
18. to acknowledge and accept the rules that govern the Sintel ICT system;
19. to be aware of the fact that use of the Sintel platform is regulated by the tender documentation including the annex "Technical methods for use of the Sintel Platform" of the Contract Specifications and the technical manuals that can be consulted on the website www.ariaspa.it, which the Enterprise declares to have read and to accept unconditionally;
20. to be aware that the Human Technopole Foundation reserves the right to suspend, cancel, revoke, re-call, or refrain, with grounds, from adjudicating the Dynamic Purchasing System call procedure, and to not make the award of Specific Tenders and/or to not sign the Contract also when the award was granted previously, declaring also to not have any demands in relation to the Human Technopole Foundation in the event that any one of these circumstances should occur;
21. to have considered and evaluated all the conditions bearing on the services subject to the Dynamic Purchasing System that can affect the determination of the offer, to have considered and evaluated all the contractual conditions, and to be aware of all the circumstances, both general and specific;

D) declarations in the case of Joint Ventures, Business Combinations, and Consortia

22. *(in case of incorporated joint ventures or joint ventures to be incorporated, and consortia to be incorporated)* that participation in this tender is carried out jointly with the following Companies:

- _____ (indicate the role: *principal/agent*),
- _____ (indicate the role: *principal/agent*),

which, together with the bid signed jointly by all the enterprises in the group / consortium members - or by the agent enterprise in the case of already incorporated joint ventures - certify the part of the contractual services that each enterprise in the group or consortium assumes within the joint venture/consortium in the following measure:

Agent / principal enterprise	Activity or service of competence	Percentage of the activity or service of competence with respect to the total execution of said activity or service	Percentage of the activity or service of competence with respect to the entire subject matter of the contract
		___%	___%
		___%	___%
		___%	___%
		___%	___%
Total			100%

23. (*in the case of principal enterprises of unincorporated joint ventures or consortia*) to authorise the agent enterprise to submit a single bid and, therefore, enabling the same to carry out, in the name and on behalf also of this Enterprise, all activities, to be performed via the ICT system (SinTel) (submission of documentation signed by the enterprises in the group, transmission and reception of communications from and to the Contracting Authority, etc.), necessary for the purposes of participation in the procedure, without prejudice to the fact, in any case, that the declarations indicated in the Contract Specifications and, anyway, the technical offer and the economic offer will be signed by this Enterprise together with the other companies in the group;

24. *(in the case of unincorporated joint ventures or consortia)* that the companies in the group undertake, if they secure the award, to incorporate a joint venture/consortium in compliance with the rules pursuant to section 48 subsection 8 of Legislative Decree no. 50/2016, granting a collective special mandate with representation to the company identified as the agent, which will sign each contract in the name and on behalf of the principals/consortium members;
25. *(in the case of consortia pursuant to section 45 subsection 2 letters b) and c) of Legislative Decree no. 50/2016)* that pursuant to the provisions of section 48 subsection 7 of Legislative Decree no. 50/2016, the consortium makes a bid with the following consortium enterprises (*state which*):
- _____
 - _____
26. *(in the case of Cooperative Societies or a Consortium composed of Cooperative Societies)* that the *Enterprise*, insofar as it constitutes a cooperative society or is a participant in a consortium of cooperative societies, is enrolled in the Register of Cooperative Societies established with Ministerial Decree 23/06/2004 under no. _____;

E) election of domicile statement

27. that the *Enterprise*, in compliance with the contents of the document “Methods of use of the Sintel platform”, for the purposes of this procedure, elects as its main domicile for the reception of communications concerning the procedure in question and, in general, the activities conducted in the context of Sintel, the specific secure “Procedure communications” reserved access area placed at its disposal in the system and the certified e-mail (PEC) address specified by the *Enterprise* at the time of registration (or thereafter with the update of the registered profile); the *Enterprise* assumes responsibility for the correct indication of the certified e-mail address, with special disclosure of situations wherein the address is not a certified e-mail address. In this case Human Technopole declines all liability for omitted reception of communications;
28. the commitment of the *Enterprise* to check and constantly monitor its reserved area in the System;
29. to acknowledge, also with reference to the communications pursuant to section 76 of Legislative Decree no. 50/2016, that all procedure communications sent via Sintel are sent also to the certified e-mail address (PEC) provided by the *Enterprise* at the time of registration (or thereafter on updating the registered profile);

30. to acknowledge that, for the reception of all and any communications concerning the procedure in question (also *pursuant to* section 76 of Legislative Decree no. 50/2016) and/or for requests for clarification and/or integration of the documentation submitted, Human Technopole will use exclusively the methods described in this Section; in the case of objective unavailability of the ITC system, the following certified e-mail (PEC) _____ is provided as an alternative means of communication for the reception of any communications sent by the Human Technopole Foundation;
31. (*in case of principal companies of unincorporated joint ventures or consortia*) for the purposes of sending and receiving communications concerning the tender procedure, also with reference to the communications pursuant to section 76 of Legislative Decree no. 50/2016, elects domicile at the elected domicile of the agent parent company of the joint venture/consortium; if the ICT system is unavailable, the following certified e-mail (PEC) of the joint venture/consortium parent company agent is provided _____ as an alternative means of communication for the reception of any communications from Human Technopole;

F) additional declarations

32. (***in the case of a non-resident party and a party without a stable organisation in Italy***) that the *Enterprise* will comply with the rules pursuant to section 17 subsection 2 of Presidential Decree no. 633/72 and, if the contract is awarded, will inform the Human Technopole Foundation of the appointment of the tax representative in the legally defined forms, if required by the tax legislation applicable to the subject matter of the tender;
33. to be informed, pursuant to section 13 of law no. 196/2003 and of Regulation (EU) 2016/679, that the personal data collected will be processed, also with computerised means, in the context of and for the purposes of the procedure for which this declaration is issued, also in relation to the matters expressly stated in the Contract Specifications concerning this procedure, which are construed as transcribed herein in their entirety;
34. to be aware that, if any untruthfulness of the contents of this declaration is identified, this *Enterprise* will be excluded from the Invitation to tender for which it is issued or, if the Enterprise adjudicates the tender, the adjudication will lapse and will be cancelled and/or revoked and Human Technopole shall be entitled to enforce the temporary guarantee provided; moreover, if the untruthfulness of the contents of this declaration is identified after the Contract has been signed, the same can be legally rescinded by the relevant authority pursuant to section 1456 of the Civil Code.

35. *(in the case of economic operators admitted to an arrangement with creditors on a going concern basis pursuant to section 186-bis of Royal Decree no. 267 of 16 March 1942)* indicate, in integration of the matters indicated in part III, sect. C, letter d) of the ESPD, the following details of the provision for admission to the arrangement and the provision for authorisation to participate in the tenders issued by the Court of and declare non-participation in the tender as the agent enterprise of a joint venture and that the other companies in the joint venture are not subject to bankruptcy proceedings pursuant to section 186-bis subsection 6 of Royal Decree no. 267 of 16 March 1942.

N.B.: The document must be SIGNED, ON PAIN OF INADMISSIBILITY, WITH THE DIGITAL SIGNATURE of the tenderer's authorised representative (or a person vested with proven signing powers, the power of attorney of whom must be produced in the same Administrative Documentation)

Place and date _____

SIGNATURE
