

## Declaration form pursuant to Articles 94-98 of Legislative Decree 36/2023 as amended

The undersigned \_\_\_\_\_  
 born in \_\_\_\_\_ on \_\_\_\_\_  
 resident in \_\_\_\_\_  
 street/square \_\_\_\_\_ no. \_\_\_\_\_,  
 as legal representative of \_\_\_\_\_  
 tax code/VAT number \_\_\_\_\_  
 based in \_\_\_\_\_  
 \_\_\_\_\_  
 street/square \_\_\_\_\_ no. \_\_\_\_\_

or

The undersigned \_\_\_\_\_  
 born in \_\_\_\_\_ on \_\_\_\_\_  
 resident in \_\_\_\_\_  
 street/square \_\_\_\_\_ no. \_\_\_\_\_,  
 as a natural person, tax code \_\_\_\_\_

Pursuant to and for the purposes of Article 76 of the Presidential Decree 445/2000, aware of the responsibility and of the civil and criminal consequences in the event of false declarations and/or the creation or use of false documents, as well as in the event of the exhibition of documents containing data no longer corresponding to the truth, and also aware that should the contents of this declaration prove to be untrue, the undersigned organisation/company shall forfeit the benefits for which it is issued

### DECLARES UNDER ITS OWN RESPONSIBILITY

#### A: REASONS RELATED TO CRIMINAL CONVICTIONS

<b>Criminal convictions within the meaning of national provisions implementing the grounds foreseen by Article 57 paragraph 1 of the Directive</b> (for the list of offences, see Article 94, paragraph 1 of the Code):	<b>Answer:</b>
Have the persons referred to in Article 94, paragraph 3, of the Code been convicted <b>with a final judgment</b> or criminal decree that has become irrevocable for one of the reasons indicated above with a judgment with exclusionary effect pursuant to paragraphs 8 and 9 of Article 96 of the Code or following which a period of exclusion directly established in the judgment pursuant to Article 96, paragraph 7, of the Code is still applicable?	<input type="checkbox"/> Yes <input type="checkbox"/> No  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference to the documentation):  [.....][.....][.....][.....]
<b>If yes, please indicate:</b>  a) the date of the conviction, the conviction decree, its duration and the offence committed among those listed in Article 94, paragraph 1, letters from a) to h) of the Code and the reasons for the conviction  b) identification data of convicted persons [ ];  c) if the duration of the ancillary penalty is fixed directly in the conviction, indicate:	(a) Date:[ ], duration: [ ], paragraph 1, Article 94 [ ], grounds: [ ], type of offence committed [ ], data concerning the possible imposition of the accessory penalty of inability to contract with the public administration and its duration [ ]  b) [.....]  (c) duration of the exclusion period [.....], paragraph 1, Art. 94 [ ]
In the case of convictions, has the economic operator taken sufficient measures to prove its reliability despite the existence of a relevant ground for exclusion ( <b>Self-Cleaning, Article 96, paragraph 6, of the Code</b> )?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>If yes, please</b> describe these measures: The economic operator has compensated or has undertaken to compensate for any damage caused by the offence or tort	[...] Yes [...] No
The economic operator clarified the facts and circumstances in a comprehensive manner by actively cooperating with the investigating authorities  The economic operator has taken concrete measures of a technical, organisational and personnel-related nature to prevent further offences or offences  More  Have the measures been taken or are they still to be taken?	[...] Yes [...] No  [...] Yes [...] No  [.....] [.....]
Has the economic operator described the measures in a separate document attached to the DGUE?  Is the documentation presented in the FVOE?	Yes [...] No [...]  Yes [...] No [...]  

**B: REASONS RELATED TO THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS**

<b>Payment of taxes, fees or social security contributions</b> (Article 94, paragraph 6, and Article 95, paragraph 2, of the Code):	<b>Answer:</b>	
Has the economic operator fulfilled all <b>obligations relating to the payment of taxes, fees or social security contributions</b> , both in the country where it is established and in the Member State of the contracting authority or the granting authority, if different from the country of establishment?	[ ] Yes [ ] No	
<b>If not</b> , please indicate:	<b>Taxes/fees</b>	<b>Social security contributions</b>
(a) Country or Member State concerned	a) [.....]	a) [.....]
(b) Which amount is involved	b) [.....]	b) [.....]
(c) How this non-compliance was established:		
1) By a judicial or administrative <b>decision</b> :	c1) [ ] Yes [ ] No	c1) [ ] Yes [ ] No
– Is this decision final and binding?	- [ ] Yes [ ] No	- [ ] Yes [ ] No
– Indicate the date of the conviction or decision.	- [.....]	- [.....]
– In the case of a conviction, <b>if established directly in the conviction</b> , the duration of the exclusion period:	- [.....]	- [.....]
2) In <b>any other way</b> ? Please specify:	c2) [.....]	c2) [.....]
(d) The economic operator has fulfilled or will fulfil its obligations by paying or making a binding commitment to pay taxes, fees or social security contributions due, including any interest or fines, having made the payment or formalised the commitment before the deadline for the submission of the application (Article 94, paragraph 6 of the Code) or offset the tax debt with credits certificates claimed against the public administration (Article 95, paragraph 2, final sentence, of the Code)?	(d) [ ] Yes [ ] No	(d) [ ] Yes [ ] No
	<b>If yes</b> , please provide detailed information: [.....]	<b>If yes</b> , please provide detailed information: [.....]
If the relevant documents relating to the payment of taxes or social security contributions are available electronically, please indicate:	(web address, issuing authority or body, precise reference to the documentation): [.....][.....][.....]	



<p>decision-making process of the contracting authority or to obtain confidential information for its own benefit or has provided, even through negligence, false or misleading information likely to influence exclusion, selection or award decisions (Art. 98, paragraph 3, letter b) of the Code)?</p> <ul style="list-style-type: none"> <li>the economic operator has demonstrated significant or persistent shortcomings in the performance of a previous contract or of concession that caused its termination for non-performance or an order to pay damages or other sanctions comparable, resulting from particularly serious defaults or whose repetition is an indication of persistent professional deficiency (Article 98, paragraph 3, letter c) of the Code)?</li> <li>the economic operator has committed a serious breach of contract in to one or more subcontractors (Article 98, paragraph 3), letter d) of the Code)?</li> <li>the economic operator has violated the prohibition of trusteeship referred to in Article 17 of Law no. 55 of 19 March 1990 (Article 98, paragraph 3, letter e) of the Code)?</li> </ul> <p>Has the violation been removed?</p> <ul style="list-style-type: none"> <li>failure to report to the judicial authority by the economic operator who is the victim of offences provided for and punished by articles 317 and 629 of the Criminal Code aggravated pursuant to Article 416-bis.1 of the same Code (Article 98, paragraph 3, letter f) of the Code)?</li> </ul> <p>Do the cases provided for in Article 4, paragraph 1 of the Law of 24 November 1981, no. 689, occur?</p> <ul style="list-style-type: none"> <li>alleged commission by the economic operator, or by the persons referred to in Article 94, paragraph 3, of any of the offences consummated or attempted as referred to in Article 94, paragraph 1 (Article 98, paragraph 3, letter g) of the Code)?</li> <li>contested or established commission by the economic operator or the persons referred to in Article 94, paragraph 3, of any of the following offences committed (Article 98, paragraph 3, letter h) of the Code)?</li> </ul>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p>If the relevant documentation is available electronically, indicate: web address, issuing authority or body, precise reference to the documentation): [.....][.....][.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p>If the relevant documentation is available electronically, indicate: web address, issuing authority or body, precise reference to the documentation): [.....][.....][.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p>
<p><input type="checkbox"/> 1) abusive exercise of a profession within the meaning of Article 348 of the Criminal Code;</p> <p><input type="checkbox"/> 2) simple bankruptcy, fraudulent bankruptcy, omitted declaration of assets to be included in the bankruptcy inventory or abusive use of credit, as referred to in Articles 216, 217, 218 and 220 of the Royal Decree of 16 March 1942, no. 267;</p> <p><input type="checkbox"/> 3) tax offences under Legislative Decree no. 74 of 10 March 2000, corporate offences as referred to in Articles 2621 and following of the Civil Code or offences against industry and trade as referred to in Articles 513 to 517 of the Criminal Code;</p> <p><input type="checkbox"/> 4) town planning offences referred to in Article 44, paragraph 1, letters b) and c) of the consolidated text of laws and regulations on construction, as per Presidential Decree of 6 June 2001, no. 380, with reference to contracts for works or services, architectures and engineering;</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No [.....]</p>

<input type="checkbox"/> 5) offences under Legislative Decree no. 231 of 8 June 2001.	<input type="checkbox"/> Yes <input type="checkbox"/> No [.....]
<p><b>If yes</b>, has the economic operator taken any self-discipline or 'self-cleaning' measures (see Article 96, paragraph 6 of the Code)?</p> <p><b>If yes</b>, please describe these measures:</p> <p>The economic operator has compensated or has undertaken to compensate for any damage caused by the offence or tort</p> <p>The economic operator clarified the facts and circumstances in a comprehensive manner by actively cooperating with the investigating authorities</p> <p>The economic operator has taken concrete measures of a technical, organisational and personnel-related nature to prevent further offences or offences</p> <p>More</p> <p>Have the measures been taken or are they still to be taken?</p> <p>Has the economic operator described the measures in a separate document attached to the DGUE?</p> <p>Is the documentation presented in the FVOE?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  [.....] .....] [.....] .....]  Yes [...] No [...]  Yes [...] No [...]
<p><b>Is the economic operator aware of any conflict of interest</b> linked to its participation in the contract (Article 95, paragraph 1, letter b) of the Code)?</p> <p><b>If yes</b>, please provide details on how the conflict of interest was resolved:</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No  [.....]
<p><b>Did the economic operator or a company affiliated to it advise</b> the contracting authority or the awarding authority or otherwise <b>participate in the preparation of the award procedure</b> (Article 95, paragraph 1, letter c) of the Code)?</p> <p><b>If yes</b>, please provide details on the measures taken to prevent possible distortions of competition:</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No  [.....]
<p>The economic operator can confirm that</p> <p>(a) <b>it has not been</b> guilty of serious <b>misrepresentation</b> in supplying the information required to verify the absence of grounds for exclusion or compliance with the selection criteria?</p> <p>(b) <b>not to have concealed</b> such information?</p> <p>c) <b>not be registered</b> in the electronic register kept by ANAC for having submitted false declarations or false documentation in tender procedures and in the awarding of subcontracts? (Article 94, paragraph 5, letter e) of the Code)?</p> <p>(d) <b>not be registered</b> in the electronic register kept by ANAC for having submitted false declarations or false documentation for the purpose of obtaining the qualification certificate? (Article 94, paragraph 5, letter f) of the Code)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  If the relevant documentation is available electronically, please indicate: web address, issuing authority or body, precise reference to documentation: [.....][.....][.....]

e) not having made false corporate communications as referred to in Articles 2621 and 2622 of the Civil Code (Article 94, paragraph 1, letter c) of the Code)?	<input type="checkbox"/> Yes <input type="checkbox"/> No  If the relevant documentation is available electronically, please indicate: web address, issuing authority or body, precise reference to the documentation  [.....][.....][.....]
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**D: OTHER GROUNDS FOR EXCLUSION THAT MAY BE PROVIDED FOR BY THE NATIONAL LEGISLATION OF THE MEMBER STATE OF THE CONTRACTING OR AWARDING AUTHORITY**

<b>GROUND FOR EXCLUSION FORESEEN EXCLUSIVELY BY THE NATIONAL LEGISLATION</b> (Article 94, paragraph 1, letters c) and h), paragraph 2, paragraph 5, letters a) and b), and Article 53, paragraph 16-ter of Legislative Decree 165/2001)	<b>Answer:</b>
Should the persons indicated in paragraph 3 of Article 94 be subject to disqualification, suspension or prohibition pursuant to Article 67 of Legislative Decree no. 159 of 6 September 2011, or to an attempt of mafia infiltration pursuant to Article 84, paragraph 4, of the same Decree, without prejudice to the provisions of Articles 88, paragraph 4-bis, and 92, paragraphs 2 and 3, of the same Decree, with reference respectively to anti-mafia communications and anti-mafia information (Article 94, paragraph 2, of the Code)?	<input type="checkbox"/> Yes <input type="checkbox"/> No  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference to the documentation):  [.....][.....][.....][.....]
Is the economic operator in one of the following situations?  1. has been subject to the disqualification sanction referred to in Article 9, paragraph 2, letter c) of Legislative Decree no. 231 of 8 June 2001 or any other sanction involving a prohibition to contract with the public authorities administration, including, prohibitory measures under Article 14 of Legislative Decree no. 81 (Article 94, paragraph 5, letter a) of the Code);  2. complies with the regulations governing the right to work of disabled persons under Law no. 68 of 12 March 1999 (Article 94, paragraph 5, letter b) of the Code);  3. is, in relation to another participant in the same tendering procedure, in a position to consider that the bids of the economic operators are imputable to a single decision-making centre at agreements between them (Article 95, paragraph 1, letter d) of the Code)?	<input type="checkbox"/> Yes <input type="checkbox"/> No  If the relevant documentation is available electronically, indicate: web address, issuing authority or body, precise reference to the documentation):  [.....][.....][.....]  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Does not have to comply with Law 68/1999 If the relevant documentation is available electronically, please indicate: web address, issuing authority or body, precise reference to the documentation):  [.....][.....][.....]  In cases where the operator is not required to comply with Law 68/1999 indicate the reasons: (number of employees and/or other ) [.....][.....][  <input type="checkbox"/> Yes <input type="checkbox"/> No  If the relevant documentation is available electronically, indicate: web address, issuing authority or body, precise reference to the documentation):  [.....][.....][.....]

#### OTHER DECLARATIONS

<p>4. Does the economic operator find itself in the situation envisaged by Article 53, paragraph 16-ter of Legislative Decree no. 165/2001 (pantouflage or revolving door) in that it has concluded employment or self-employment contracts and, in any event, has assigned tasks to former employees of the contracting authority or the grantor entity who terminated their employment relationship less than three years ago and who, in the last three years of service, exercised authoritative or negotiating powers on behalf of the same contracting authority or grantor entity with respect to the same economic operator?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Is the Sponsor involved in a legal dispute with the HT Foundation?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>With the sponsorship in question, the Sponsor intends to advertise: political, trade union, religious propaganda; messages containing expressions of fanaticism, hatred, threats, discrimination, violence, contrary to public morality and public order; advertising relating to the production or distribution of weapons, products detrimental to health and/or the environment, pornographic and sexually oriented material?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Place \_\_\_\_\_, Date \_\_\_\_\_

DIGITAL SIGNATURE OF THE DECLARANT