**ANNEX 1**

**Application and declarations**

**DECLARATION ISSUED IN ACCORDANCE WITH ARTICLES 46 AND 47, D.P.R. 445/2000**

**Urgent negotiated procedure for the acquisition of emergency material and devices COVID-19 for Health Authorities of Region Piemonte and AUSL Valle d’Aosta. Lots 1-8 (tender 46-2020).**

I, the undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as (owner, legal representative, attorney, etc.) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the company: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ with registered office in (address)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ VAT number\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. *[In the case of participation in an associated form, please report the data of all subscribers to this declaration]*

**PARTICIPATE TO THE PRESENT TENDER AS**

*[check the box of interest]*

□ Single Economic Operator;

□ stable consortium as per art. 45, paragraph 2, letter c), Legislative Decree 50/2016;

□ consortium of cooperatives referred to in Article 45 (2) (b) of Legislative Decree 50/2016,

□ consortium of artisan enterprises as per art. 45, paragraph 2, letter b), Legislative Decree 50/2016;

□ temporary grouping of companies as per art. 45 (2) d), legislative decree 50/2016;

□ ordinary consortium of companies as per art. 45, paragraph 2, letter e), Legislative Decree 50/2016

□ companies combinations as per art. 45, paragraph 2, letter f), Legislative Decree 50/2016;

□ European economic interest grouping as per Article 45, paragraph 2, letter g), d. lgs. 50/2016;

□ Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**ASK**

**TO PARTICIPATE IN THIS TENDER PROCEDURE FOR THE LOT(S):** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

**AND DECLARE**

for the purposes of communications (ex art. 76, 83 of Legislative Decree 50/2016) relating to this contract to elect domicile in (address)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ phone

. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Fax \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PEC \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(certified email or other similar instrument in the case of operators from other Member States)

and to be aware that S.C.R. - Piemonte S.p.A. will transmit through PEC (certified e-mail), or other similar instrument in case of competing operators belonging to other Member States, the communications pursuant to art. 76 of Legislative Decree no. 50/2016, with particular reference to the decisions taken regarding admissions, exclusions, documentary requests and clarifications, as well as the award;

- for the purposes of supply orders to provide the following references Tel. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Contact name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ E mail \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***(only for temporary groups or ordinary consortia established/constituted)***

**DECLARE**

pursuant to and for the purposes of Article 48 of Legislative Decree no. 50/2016:

a) that, in the context of the temporary grouping/ordinary consortium, the company designated as mandated/head of the group is: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(b) that the other companies are: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**(only for consortia/groupings not yet formed)**

(c) to irrevocably undertake, in the event of the award of the supply referred, to grant a special collective mandate with representation to the company identified in this declaration, qualified as group leader (head) representative, which will enter into the contract in the name and on its own behalf and on behalf of the mandating (other) companies; they also undertake not to change the composition of the temporary grouping to be formed on the basis of this undertaking, to complete in good time the relevant irrevocable mandate indicating in the same deed the shareholding of each of them in the association, and to comply with the rules for temporary groupings;

**[only for consortia between cooperatives or between artisan enterprises pursuant to Article 45, paragraph 2, letter b), of Legislative Decree 50/2016, excluding permanent consortia and ordinary consortia]**

**DECLARE**

pursuant to Article 45, paragraph 2, letter b), of Legislative Decree 50/2016, that this consortium between cooperatives / between artisan enterprises competes for the following consortium members:

2. company name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_location\_\_\_\_\_\_\_\_\_\_\_\_\_\_VAT\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. company name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_location\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_VAT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. company name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_location\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_VAT\_\_\_\_\_\_\_\_\_\_\_\_\_

***[as an alternative to the previous point, only for permanent consortia pursuant to Articles 45, paragraph 2, letter c) and 47 of Legislative Decree 50/2016].***

pursuant to art. 47 of Legislative Decree 50/2016, , that this stable consortium competes:

**□** on his own;

*or*

**□** on behalf of all economic operators consortium members

*or*

**□** on behalf of the following consortium members:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:
2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:
3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**DECLARE**

1. to be registered with the competent professional or commercial register (name) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (registration details)

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

1. to know in detail the grounds for exclusion as per art. 80 of Legislative Decree 50/2016 and not to be in any of the aforementioned grounds for exclusion;
2. that in relation to themselves and to the subjects referred to in Article 80, paragraph 3, of Legislative Decree 50/2016, the cause for exclusion referred to in Article 80, paragraph 5, letter l), of Legislative Decree 50/2016, as amended and supplemented, does not apply, on the basis of the data emerging from the observatory;
3. that they are not in the case referred to in Article 53, paragraph 16-ter of Legislative Decree 165/2001;
4. that: [check the box of interest]

☐ there is no situation of control referred to in Article 2359 of the Italian Civil Code, nor in any relationship, even de facto, which implies that the tenders are attributable to a single decision-making centre with another economic operator participating in competition in this tender individually or as part of a grouping of companies or con-sortium and having formulated the tender independently;

**or**

☐ that it is not aware of the participation in the same procedure of subjects who are, with respect to the competitor, in one of the situations of control referred to in Article 2359 of the Italian Civil Code, and that it has formulated the offer independently;

**or**

☐ that it is aware of the participation in the procedure of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [indicate the name of the economic operator], an economic operator who is, in relation to it, in a situation of control referred to in Article 2359 of the Civil Code and that it has formulated the offer autonomously;

1. to have a full understanding of the rules of this procedure and the technical specifications and to accept them in all their parts, respecting all conditions in the execution of the contract;
2. that the products offered comply with all the minimum requirements set out in the Product Table;

8) that it is aware that, should it be established that the contents of this declaration are not true, this company will be excluded from the procedure or, if it is awarded, will de-fall from the award, or if it is the contractor, the contractual relationship will be automatically terminated;

9) to be aware that the tender submitted will not be binding in any way on SCR Piemon-te S.p.A., which reserves the right not to award the contract in question;

10) that the offer, as a whole, is valid and binding for 180 days from the date of its submission,

11) that the economic offer submitted is remunerative since it has been noted and taken into account in its formulation:

* the contractual terms and conditions and any charges, including those relating to safety, insurance, working conditions and welfare and assistance in force at the place where the supply is to be carried out;
* all general, special and local circumstances, none excluded or excepted, which may have influenced or influence both the supply and the determination of its offer;

12) that it has taken exact knowledge of the nature of the supply and of all the general and particular circumstances that may affect it and that it accepts, without conditions and/or reservations, all the provisions contained in the Notice, in the invitation letter, in the Framework Agreement, in the Technical Specifications and their annexes.

13) to have read on the website www.scr.piemonte.it. the Organisation, Management and Control Model pursuant to Legislative Decree 231/2001 and the Code of Ethics adopted by the Company, to accept its contents and to undertake to comply with the provisions set out therein, refraining from any behaviour that could constitute an offence pursuant to Legislative Decree no. 231 of 8 June 2001 or in any case in conflict with Law no. 190/2012;

14) [to be filled in in the case of a non-resident subject without a permanent establishment in Italy] that the Company will comply with the regulations set forth in art. 17, paragraph 2 of Presidential Decree no. 633/72, and will inform S.C.R. - Piemonte S.p.A., in case of award, of the appointment of the fiscal representative in the forms provided for by law;

15) to be informed, pursuant to and for the purposes of art. 13 of EU Regulation 2016/679, that the personal data collected during the procedure for which the declaration is made, will be processed in the manner and for the purposes expressed in point 30) of the tender specifications;

16) to be aware that, should it be ascertained that the content of the declaration made is not truthful, the Company will be excluded from the tender, or, if it is awarded, it will lapse from the adjudication itself, which will be annulled and/or revoked; and that in this case the contracting authority shall notify the Authority which, if it considers that the false declaration or the submission of false documentation has been made with intent or gross negligence, shall order the Company to be entered in the computer record for exclusion from the tender procedures and subcontracting contracts for a period of up to two years, after which the entry shall be cancelled and in any case lose its effectiveness.

ELECTRONIC SIGN OF THE DECLARANT

***PLEASE NOTE THAT***

* *The application must be accompanied by a photocopy, not authenticated, of a valid identity document of the subscriber(s).*
* *In the case of a competitor formed by a temporary grouping or by a consortium not yet formed, the application must be completed jointly and digitally signed by all the subjects that will constitute the aforementioned grouping or consortium; in the case of a competitor formed by a temporary grouping or by a consortium formed, the application must be signed by the subject indicated as group leader or representative.*