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Annex 4 TO REQUEST FOR TENDERS

DECLARATION OF HONOUR WITH RESPECT TO THE EXCLUSION CRITERIA AND ABSENCE OF CONFLICT OF INTEREST

Codice CIG n. 75400928C0

Applicable to the "Smart.met" project as referred to the action entitled 'PCP for Water Smart Metering – SMART.MET as described in the Grant Agreement No 731996 associated with document Ref. Ares(2016)6330258 - 09/11/2016 available on the EU Commission participant portal

Annex 4 DECLARATION OF HONOUR WITH RESPECT TO THE EXCLUSION CRITERIA AND ABSENCE OF CONFLICT OF INTEREST

INFORMATION ABOUT THE ECONOMIC OPERATOR

Identification:	Answer:
The undersigned [<i>name of the signatory of this form</i>]:	
<input type="checkbox"/> in his/her own name (if the economic operator is a natural person or in case of own declaration of a director or person with powers of representation, decision making or control over the economic operator)	[_____]
<input type="checkbox"/> representing (if the economic operator is a legal person)	[_____]
VAT-number, if applicable:	[_____]
If no VAT-number applicable, please indicate another national identification number, if required and applicable	[_____]
Official name in full (only for legal person):	[_____]
Official legal form (only for legal person):	[_____]
Official address in full:	[_____]
Contact person or persons ¹ :	[_____]
Telephone:	[_____]
E-mail:	[_____]
Internet address (web address) if applicable):	[_____]
General information:	Answer:
Is the economic operator a Micro, a Small or a Medium-Sized Enterprise ² ?	<input type="checkbox"/> Yes <input type="checkbox"/> No

¹Please repeat the information concerning contact persons as many times as needed.

²Cf. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises, (OJ L 124, 20.5.2003, p. 36). This information is required for statistical purposes only.

Micro enterprises: enterprise which employs less than 10 persons and the annual turnover of which and/or annual balance sheet total does not exceed EUR 2 million.

Small enterprise: an enterprise which employs less than 50 persons and the annual turnover of which and/or annual balance sheet total does not exceed EUR 10 million.

Medium enterprise: an enterprise which qualifies neither as micro nor as small and medium enterprise, which employs less than 250 persons and which has an annual turnover not exceeding EUR 50 million and/or an annual balance sheet total not exceeding EUR 43 million.

declares that the company or organisation that he/she represents / he/she:

INFORMATION ABOUT REPRESENTATIVES OF THE ECONOMIC OPERATOR

Where applicable, please indicate the name(s) and address(es) of the person(s) empowered to represent the economic operator for the purposes of this procurement procedure in question; if more legal representatives intervene repeat as many times as necessary.

Representation, if any:	Answer:
Full name;	[_____]
Accompanied by the date and place of birth, if requested:	[_____]
Position/Acting in the capacity of:	[_____]
Postal address:	[_____]
Telephone:	[_____]
E-mail:	[_____]
If needed, please provide detailed information on the representation (its forms, extent, purpose, joint signature):	[_____]

EXCLUSION GROUNDS (Article 80 of D.Lgs. 50/2016)

GROUND RELATING TO CRIMINAL CONVICTIONS

Article 57 (1) of Directive 2014/24/EU sets out the following reasons for exclusion (Article 80, paragraph 1 of D.Lgs. 50/2016):

1. Participation in a criminal organization ³;
2. Corruption ⁴;
3. Fraud ⁵;
4. Terrorist offences or offences linked to terrorist activities ⁶;
5. Money laundering or terrorist financing ⁷;
6. Child labor and other forms of trafficking in human beings ⁸.
7. Any other offense from which triggers the interdiction to negotiate with the public administration (letter g) article 80, paragraph 1, of D.Lgs. 50/2016, as an accessory punishment;

Grounds relating to criminal convictions under national provisions implementing the grounds set out in Article 57 (1) of the Directive 2014/24/EU (Article 80, paragraph 1 of D.Lgs. 50/2016):	Answer:
The subjects referred to in art. 80, paragraph 3, of D.Lgs. 50/2016 were convicted by means of a final judgment or criminal decree of irrevocable sentence or sentence of application of the penalty required under Article 444 of the Code of Criminal Procedure for one of the above reasons as established	<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 of documentation): [_____] [_____] [_____] ⁹

³As defined in Article 2 of the Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organized crime (OJ L 300, 11.11.2008, p. 42).

⁴As defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or of the Member States of the European Union (OJ C 195, 25.6.1997, p. 1) and in Article 2 (1) of the 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 Lead procurer or the economic operator.

⁵Within 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).

⁶As defined in Articles 1 and 3 of the 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 the Framework Decision.

⁷As 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).

⁸As 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 the protection of victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

⁹Please repeat as many times as needed.

<p>by a judgement rendered no more than five years ago or, regardless of the date of the judgement, following which an exclusion period was established directly in the judgement or inferred pursuant to art. 80 paragraph 10 of D.Lgs. 50/2016?</p>	
<p>If yes, please indicate ¹⁰</p> <p>a) Date of the conviction, specify which of points 1 to 7 is concerned, the relative duration and the crime committed between those referred to in article 80, paragraph 1, letter a) to g) of D.Lgs. 50/2016 and the reason(s) for the conviction,</p> <p>b) Identify who has been convicted []</p> <p>c) Insofar as established directly in the conviction:</p>	<p>a) Date: [____], point(s) [____], duration [____], reason(s): [____]</p> <p>b) [____]</p> <p>c) Length of the period of exclusion [____] and the point(s) concerned [____]</p> <p>If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation):</p> <p>[____][____][____] ¹¹</p>
<p>In case of convictions, has the economic operator taken measures to demonstrate its reliability despite the existence of a relevant ground for exclusion¹² ("Self-Cleaning", Article 80, paragraph 7 of D.Lgs. 50/2016)?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p>
<p>If yes, please describe the measures taken¹³:</p>	<p>[____]</p>
<p>1. the sentence of final conviction has recognized the mitigating of the collaboration as defined by the individual cases of crime?</p> <p>2. If the final sentence of conviction provides a custodial sentence not exceeding 18 months?</p> <p>3. in the case of an affirmative answer for hypotheses 1) and / or 2), the subjects referred to in art. 80, paragraph 3, of D.Lgs. 50/2016:</p> <p>– have fully compensated the damage?</p> <p>– have they formally committed themselves</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>

¹⁰Please repeat as many times as needed.

¹¹Please repeat as many times as needed.

¹²In accordance with national provisions implementing Article 57 (6) of Directive 2014/24/EU.

¹³Taking account the character of the crimes committed (punctual, repeated, systematic ...), explanation should show the adequacy of the measures to be taken.

<p>to compensating the damage?</p> <p>4. for hypotheses 1) and 2 did the economic operator adopt measures of a technical or organizational nature and relating to personnel suitable for preventing further offenses or crimes?</p> <p>5. if the sentences of convictions have been issued against the terminated subjects pursuant to art. 80 paragraph 3 of D.Lgs. 50/2016, indicate the measures that demonstrate the complete and effective dissociation from the penalties sanctioned:</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>If yes, list the relevant documentation [_____] and, if available electronically, please indicate: (web address, issuing authority or body, precise reference of documentation):</p> <p>[_____] [_____] [_____]</p> <p>[_____]</p>
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GROUND S RELATING TO THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS

Payment of taxes or social security contributions art. 80 paragraph 4 of D.Lgs. 50/2016:	Answer:	
Has the economic operator met all its obligations relating to the payment of taxes, social security contributions , both in the country in which it is established and in the Member State of the Lead procurer if other than the country of establishment?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
If not , please indicate:	Taxes	Social contributions
a) Country or Member State concerned	a) [_____]	a) [_____]
b) What is the amount concerned	b) [_____]	b) [_____]
c) How has this breach of obligations been established:	c1) <input type="checkbox"/> Yes <input type="checkbox"/> No	c1) <input type="checkbox"/> Yes <input type="checkbox"/> No
- Is this decision final and binding?	- <input type="checkbox"/> Yes <input type="checkbox"/> No	- <input type="checkbox"/> Yes <input type="checkbox"/> No
- Please indicate the date of conviction or decision	- [_____]	- [_____]
- In case of a conviction, insofar as established therein , the length of the period of exclusion:	- [_____]	- [_____]
2) By other means ? Please specify?	c2) [_____]	c2) [_____]
d) 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, having made the payment or formalized the commitment before the expiry of the term for the submission of the application (Article 80 paragraph 4, last sentence, of D.Lgs. 50/2016)?	d) <input type="checkbox"/> Yes <input type="checkbox"/> No If yes , please provide details: [_____]	d) <input type="checkbox"/> Yes <input type="checkbox"/> No If yes , please provide details: [_____]
If the relevant documentation concerning the payment of taxes or social contributions is available electronically, please indicate:	(web address, issuing authority or body, precise reference of the documentation) ¹⁴ : [_____] [_____] [_____]	

¹⁴Please repeat as many times as needed.

**GROUND S RELATING TO INSOLVENCY, CONFLICT OF INTERESTS OR
PROFESSIONAL MISCONDUCT¹⁵**

Please note that, for this procurement, some of the following exclusion grounds may have been defined more precisely, in national law, in the relevant notice or the procurement documents. Thus, national law may for instance provide that the notion of "grave professional misconduct" may cover several different forms of conduct.

Information concerning possible of insolvency, conflict of interests or professional misconduct	Answer:
Has the economic operator, to its knowledge , breached its obligations in the fields of environmental, social and labour law ¹⁶ referred to in Article 80, paragraph 5, lett. a) of D.Lgs. 50/2016?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes , has the economic operator taken measures to demonstrate its reliability despite the existence of this ground for exclusion ("Self-Cleaning", Article 80, paragraph 7 of D.Lgs. 50/2016)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If it has , please describe the measures taken:	[_____]
1) The economic operator - has fully compensated the damage? - has it formally pledged to compensate the damage?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
2) did the economic operator adopt measures of a technical or organizational nature relating to personnel suitable for preventing further offenses or crimes?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes , list the relevant documentation [_____] and, if available electronically, please indicate: (web address, issuing authority or body, precise reference of documentation): [_____] [_____] [_____]
Is the economic operator in any of the following situations or is it subject to a procedure for ascertaining one of the following situations referred to in Article 80,	<input type="checkbox"/> Yes <input type="checkbox"/> No

¹⁵See Article 57 (4) of Directive 2014/24/EU.

¹⁶As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18 (2) of Directive 2014/24/EU.

<p>paragraph 5, lett. b) of D.Lgs. 50/2016:</p>	
<p>a) Bankruptcy</p> <p>If yes,</p> <ul style="list-style-type: none"> - has the bankruptcy trustee been authorized for the provisional exercise and has it been authorized by the appointed judge to participate in procedures for the awarding of public contracts (article 110, paragraph 3, letters a) of D.Lgs. 50/2016) - the participation in the assignment procedure was subordinated, pursuant to art. 110, paragraph 5, to the use of another economic operator? 	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>If yes, indicate the details of the measures [____][____][____]</p> <p>If yes, indicate the details of the measures [____][____][____]</p>
<p>b) Subject to insolvency or winding-up proceedings, or</p> <p>c) In an arrangement with creditors, or</p> <p>d) Its assets are being administered by a liquidator or by the court, or</p> <p>e) is admitted to the agreement with continuity of the company as established pursuant to Article 186-bis of the Bankruptcy Law, or</p> <p>f) Its business activities are suspended?</p> <p>If yes:</p> <ul style="list-style-type: none"> - 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 ¹⁷? <p>If the relevant documentation is available electronically, please indicate:</p> <p>In the event of an affirmative answer to point (e):</p> <ul style="list-style-type: none"> - has been authorized by the delegated judge pursuant to article 110, paragraph 3, lett. a) of D.Lgs. 50/2016? - participation in the assignment procedure was subordinated pursuant to art. 110, paragraph 5, to the use of another 	<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>- [____]</p> <p>- [____]</p> <p>(web address, issuing authority or body, precise reference of the documentation):</p> <p>[____] [____] [____]</p> <p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>If yes, please indicate the auxiliary</p>

¹⁷This information needs not be given if exclusion of economic operators in one of the cases listed under letter a to f has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

economic operator?	company [_____]
Is the economic operator guilty of grave professional misconduct ¹⁸ article 110, paragraph 5, letters c) of D.Lgs. 50/2016? If yes , please provide detailed information, specifying the type of offense:	<input type="checkbox"/> Yes <input type="checkbox"/> No [_____] If yes , has the economic operator taken self-cleaning measures? <input type="checkbox"/> Yes <input type="checkbox"/> No If it has , please describe the measures taken: [_____]
If yes , please indicate: 1) The economic operator: - has fully compensated the damage? - has formally pledged to compensate the damage? 2) did the economic operator adopt measures of a technical or organizational nature relating to personnel suitable for preventing further offenses or crimes?	<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 yes , please list the relevant documentation [_____] and, if available electronically, indicate: (web address, issuing authority or body, precise reference of the documentation): [_____] [_____] [_____]
Has the economic operator entered into agreements with other economic operators aimed at distorting competition ? If yes , please provide details:	<input type="checkbox"/> Yes <input type="checkbox"/> No [_____] If yes , has the economic operator taken self-cleaning measures? <input type="checkbox"/> Yes <input type="checkbox"/> No If it has , please describe the measures taken: [_____]
Is the economic operator aware of any conflict of interest ¹⁹ due to its participation in the procurement procedure (article 80, paragraph 5, letters d) of D.Lgs. 50/2016)?	<input type="checkbox"/> Yes <input type="checkbox"/> No

¹⁸Where applicable, see definitions in national law, the relevant notice or the procurement documents.

¹⁹As indicated in national law, the relevant notice or the procurement documents.

<p>If yes, please provide detailed information on how the conflict of interest has been resolved:</p>	<p>[_____]</p>
<p>Has the economic operator been aware of or an undertaking related to it advised the Lead procurer or otherwise been involved in the preparation of the procurement procedure (article 80, paragraph 5, letters e) of D.Lgs. 50/2016)?</p> <p>If yes, please provide detailed information on how the conflict of interests has been resolved:</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[_____]</p>
<p>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?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p>
<p>The economic operator can confirm that:</p> <p>a) it is not seriously guilty of misrepresentation in providing the information required to verify the absence of grounds for exclusion or compliance with the selection criteria,</p> <p>b) it has not hidden this information?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p><input type="checkbox"/>Yes <input type="checkbox"/>No</p>
<p>If yes, please provide details:</p>	<p>[_____]</p> <p>If yes, has the economic operator taken self-cleaning measures?</p> <p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>If it has, please describe the measures taken:</p> <p>[_____]</p>
<p>Can the economic operator confirm that:</p> <p>a) It has not been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria,</p> <p>b) It has not withheld such information?</p> <p>c) It has been able, without delay, to submit the supporting documents required by the Lead procurer, and</p> <p>d) It has not undertaken to unduly influence the decision making process of the Lead procurer, to obtain confidential information that may confer upon it undue</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p>

advantages in the procurement procedure or the negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award?	
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OTHER EXCLUSION GROUNDS EXPECTED BY THE NATIONAL LEGISLATION

Grounds for exclusion provided exclusively by national legislation (article 80, paragraph 2 and paragraph 5, letter f), g), h), i), l), m) of D.Lgs. 50/2016 and article 53²⁰ paragraph 16-ter of D.Lgs. 165/2001	Answer:
There are grounds for forfeiture, suspension or prohibition laid down by Article 67 ²¹ of	<input type="checkbox"/> Yes <input type="checkbox"/> No

²⁰Legislative decree of 30 March 2001, n. 165: Art. 53 paragraph 16-ter Employees who, during the last three years of service, have exercised authoritative or negotiating powers on behalf of the public administrations referred to in Article 1, paragraph 2, can not work, in the three years following the termination of the employment relationship, work activity or professionally with private parties recipients of public administration activities carried out through the same powers. The contracts concluded and the tasks conferred in violation of the provisions of this paragraph are void and it is forbidden to private parties who have concluded or conferred to contract with the public administrations for the next three years with obligation to return any compensation received and ascertained to them.

²¹Legislative decree of 6 September 2011, n. 159:Art. 67 Effects of prevention measures - 1. Persons to whom a final measure has been applied from one of the preventive measures provided for in Book I, Title I, Chapter II cannot obtain: a) police or commercial licenses or authorizations; b) public water concessions and related rights as well as concessions of state property when required for the exercise of entrepreneurial activities; c) concessions for the construction and management of works concerning the public administration and concessions of public services; (d) access to the lists of contractors or suppliers of works, goods and services relating to the public administration, in the registers of the chamber of commerce for the wholesale trade and in the registers of astute commission agents in the wholesale markets; e) qualification certificates for carrying out public works; f) other registrations or provisions with authoritative, concession, or enabling content for the performance of entrepreneurial activities, however named; g) grants, loans or subsidized loans and other disbursements of the same type, however denominated, granted or granted by the State, other public bodies or the European Communities, for the performance of business activities; h) licenses for possession and carrying of weapons, manufacture, storage, sale and transport of explosive materials. 2. The definitive provision of application of the prevention measure determines the forfeiture of entitlement from the licenses, authorizations, concessions, registrations, certificates, ratings and disbursements referred to in paragraph 1, as well as the prohibition to conclude public contracts for works, services and supplies, piecework and related subcontracts and subcontracts, including piecework of any kind, hot freight and supplies with installation. Licenses, authorizations and concessions are withdrawn and the registrations are canceled and the certificates are declined by the competent bodies. 3. In the course of the prevention procedure, the court, if there are particularly serious reasons, may provisionally forbid the prohibitions referred to in paragraphs 1 and 2 and suspend the effectiveness of the registrations, disbursements and other measures and acts of in the same paragraphs. The provision of the court can be revoked at any time by the court in question and loses its effectiveness if it is not confirmed by the decree applying the prevention measure. 4. The court, without prejudice to the provisions of article 68, states that the prohibitions and forfeiture foreseen by paragraphs 1 and 2 shall also operate against anyone who cohabitates with the person subjected to the prevention measure as well as towards companies, associations, companies and consortia of which the person subject to prevention measures is an administrator or determine in any way choices and addresses. In this case the bans are effective for a period of five years. 5. For licenses and police authorizations, with the exception of those relating to weapons, ammunition and explosives, and for the other measures referred to in paragraph 1, the forfeiture and prohibitions provided for in this article may be excluded by the judge if effect of the same would lack the means of support to the interested party and the family. 6. Except in the case of renewal, implementation or in any case resulting from already disposed provisions, or contracts derived from others already stipulated by the public administration, the licenses, authorizations, concessions, disbursements, ratings and inscriptions indicated in paragraph 1 they cannot be

D.Lgs. 6 September 2011, n. 159 or an attempt to infiltrate the mafia referred to in Article 84²², paragraph 4, of the same decree, without prejudice to the provisions of articles 88²³, paragraph 4-bis, and 92²⁴, paragraphs 2

If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body,

granted or allowed and the conclusion of the contracts or sub-contracts indicated in paragraph 2 can not be allowed in favor of persons against whom the prevention procedure is being carried out without prior notification to the competent judge, who may, by using the conditions, make the prohibitions and suspensions provided for in paragraph 3. To this end, the related administrative proceedings remain suspended until the judge provides, and in any case for a period not exceeding twenty days from the date in which the public administration proceeded to the communication. 7. From the deadline established for the presentation of the lists and candidates and until the closing of the voting operations, to the persons subjected, by virtue of definitive measures, to the measure of the special public security surveillance it is forbidden to carry out the electoral propaganda activities provided for by law April 4, 1956, n. 212, for or against candidates participating in any type of electoral competition. 8. The provisions of paragraphs 1, 2 and 4 shall also apply in respect of persons convicted by a definitive sentence or, even if not final, confirmed to the degree of appeal, for one of the crimes referred to in Article 51, paragraph 3-bis, of the code of criminal procedure.

²²Legislative decree of 6 September 2011, n. 159:Art. 84 paragraph 4 The situations relating to the mafia infiltration attempts that give rise to the adoption of the disqualification antimafia information referred to in paragraph 3 are deduced: a) from the provisions that have a precautionary measure or the judgment, or that carry a conviction even if not definitive for some of the crimes referred to in articles 353, 353-bis, 603-bis, 629, 640-bis, 644, 648-bis , 648-ter of the Penal Code, of the crimes referred to in Article 51, paragraph 3-bis, of the Code of Criminal Procedure and referred to in Article 12-quinquies of the Decree-Law of 8 June 1992, n. 306 converted, with modifications, by the law of 7 August 1992, n. 356; b) by the proposal or provision for the application of some of the preventive measures; c) unless the exemption referred to in Article 4 of the Law of 24 November 1981, n. 689, from an omission to the judicial authority of the crimes referred to in articles 317 and 629 of the penal code, aggravated under Article 7 of the Decree-Law of 13 May 1991, n. 152, converted, with modifications, from the law 12 July 1991, n. 203, by the subjects indicated in letter b) of article 38 of the legislative decree 12 April 2006, n. 163, (now Article 80, paragraph 3, of Legislative Decree No. 50 of 20016) even in the absence of a proceeding against them for the application of a preventive measure or a hostile cause therein; d) the assessments prepared by the prefect also by availing himself of the access and assessment powers delegated by the Minister of the Interior pursuant to the Decree-Law of 6 September 1982, n. 629, converted, with modifications, from the law 12 October 1982, n. 726, or of those referred to in Article 93 of this decree; e) the assessments to be carried out in another province by the competent prefects upon request of the prefect proceeding pursuant to letter d); f) by the substitutions in the corporate bodies, in the legal representation of the company and in the ownership of individual companies or company shares, carried out by anyone permanently living with the recipients of the measures referred to in points a) and b), with times in which they are realized, the economic value of the transactions, the income of the subjects involved as well as the professional qualities of the sub-arrivals, denoting the intent to circumvent the anti-mafia documentation law.

²³Legislative decree of 6 September 2011, n. 159:Art. 88 paragraph 4-bis The circumstance referred to in paragraph 4, letter c), must emerge from the indications based on the request for reference made to the defendant and must be communicated, together with the generality of the person who has omitted the aforementioned complaint, by the public prosecutor Republic proceeding to the prefecture of the province in which the requesting subjects referred to in Article 83, paragraphs 1 and 2, have their registered office or residence or physical persons, companies, associations, companies or consortiums interested in contracts and subcontracts referred to in Article 91, paragraph 1, letters a) and c) or who are the recipients of the concession or supply deeds referred to in letter b) of the same paragraph 1.

²⁴Legislative decree of 6 September 2011, n. 159:Art. 92 paragraph 2 Without prejudice to the provisions of article 91, paragraph 6, when the consultation of the single national database reveals the existence of causes of forfeiture, suspension or prohibition pursuant to article 67 or an attempted mafia infiltration referred to in Article 84, paragraph 4, the Prefect provides the necessary checks and issues the disqualification antimafia information within thirty days from the date of the consultation. When the checks made are of particular complexity, the prefect shall notify the administration concerned without delay and provide the information acquired in the

<p>and 3, of the D.Lgs. 159/2011, with reference respectively to anti-mafia communications and anti-mafia information (Article 80, paragraph 2, of D.Lgs. 50/2016)?</p>	<p>precise reference of the documentation): [____][____][____]²⁵</p>
<p>Is the economic operator in one of the following situations?</p> <p>1. was subject to the disqualification sanction referred to in Article 9²⁶, paragraph 2, letter c) of D.Lgs. of 8 June 2001, n. 231 or another sanction that involves the prohibition of contracting with the public administration, including the disqualification provisions referred to in Article 14²⁷ of D.Lgs. 9 April 2008, n. 81 (Article 80, paragraph 5, letter f) of D.Lgs. 50/2016);</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): [____][____][____]</p>
<p>2. is entered in the computer database kept by the National Anti-corruption Authority Observatory for having submitted false declarations or false documentation for the issue of the qualification certificate, for the period during which the registration continues (Article 80, paragraph 5, letter g) of D.Lgs. 50/2016);</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): [____][____][____]</p>
<p>3. violated the ban on the fiduciary registration referred to in Article 17 of the Law of 19 March 1990, n. 55 (Article 80, paragraph 5, letter h of D.Lgs. 50/2016)?</p> <p>If yes, please:</p> <ul style="list-style-type: none"> - indicate the date of the definitive assessment and the issuing authority or body: - has the violation been removed? 	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[____][____][____]</p> <p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>If the relevant documentation is available electronically, please indicate: (web</p>

following forty-five days. The prefect proceeds in the same way when the consultation of the single national database is carried out for a person who is not registered. - paragraph 3 After the deadline referred to in paragraph 2, first sentence, or, in cases of urgency, immediately, the subjects referred to in Article 83, paragraphs 1 and 2, also proceed in the absence of anti-mafia information. The contributions, loans, facilities and other payments referred to in Article 67 are paid under termination conditions and the persons referred to in Article 83, paragraphs 1 and 2, revoke the authorizations and concessions or withdraw from the contracts, subject to the payment of the value of the works already carried out and the reimbursement of expenses incurred for the execution of the remaining, within the limits of the utilities achieved.

²⁵Please repeat as many times as needed.

²⁶Legislative decree of 8 June 2001, n. 231 Art. 9 paragraph 2, letter c) the prohibition of contracting with the public administration, except to obtain the services of a public service;

²⁷Legislative decree of 9 April 2008, n. 81 Art. 14 Provisions for the fight against irregular work and for the protection of workers' health and safety.

	<p>address, issuing authority or body, precise reference of the documentation): [____][____][____]</p>
<p>4. is in compliance with the rules governing the right to work of disabled people as per law 12 March 1999, n. 68 (Article 80, paragraph 5, letter i) of D.Lgs. 50/2016);</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>It is not required to the law 68/1999</p> <p>If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation): [____][____][____]</p> <p>In the case in which the operator is not required to discipline law 68/1999 indicate the reasons: [____] (number of employees and / or other) [____][____][____]</p>
<p>5. was the victim of the crimes provided for and punished by articles 317 and 629 of the penal code aggravated pursuant to Article 7 of the Decree-Law of 13 May 1991, n. 152, converted, with modifications, from the law 12 July 1991, n. 203?</p> <p>If yes,</p> <ul style="list-style-type: none"> - had denounced the facts to the judicial authority? - had the cases provided for in the first paragraph of Article 4 of the Law of 24 November 1981, n. 689 (article 80, paragraph 5, letter l) of D.Lgs. 50/2016? 	<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, please indicate: (web address, issuing authority or body, precise reference of the documentation): [____][____][____]</p>
<p>6. is in relation to another participant in the same custody procedure, in a control situation referred to in Article 2359 of the Italian Civil Code or in any report, even de facto, if the control situation or the relationship leads to offers are attributable to a single decision-making center (Article 80, paragraph 5, letter m) of D.Lgs. 50/2016?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p>
<p>7. The economic operator is in the condition provided for by art. 53 paragraph 16-ter of Legislative Decree 165/2001 (pantouflage or revolving door) in that it</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p>

<p>has entered into subordinate or independent employment contracts and, in any case, has assigned tasks to former employees of the Lead procurer that have ceased their employment relationship for less than three years and in the last three years of service have exercised authoritative or negotiating powers on behalf of the same Lead procurer against the same economic operator?</p>	
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In addition, the undersigned declares on their honour:

- a) they have no conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest;
- b) they will inform the lead procurer, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
- c) they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- d) they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to award of the contract;
- e) that the information provided to the lead procurer within the context of this invitation to tender is accurate, sincere and complete.

The undersigned formally declare that the information contained in the previous parts is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation and that the undersigned is aware of the consequences of a serious false declaration, pursuant to article 76²⁸ of Presidential Decree 445/2000.

Without prejudice to the provisions of articles 40²⁹, 43³⁰ and 46³¹ of Presidential Decree 445/2000, the undersigned formally declares to be able to provide, upon request and

²⁸Presidential decree of 28 December 2000, n. 445 Consolidated text of the legislative and regulatory provisions on administrative documentation. (Testo A).(GU Serie Generale n.42 del 20-02-2001 - Suppl. Ordinario n. 30): Art. 76 (L) Criminal law - 1. Anyone issuing false statements, drafting false deeds or making use of them in the cases provided for by the present single law is punished according to the penal code and special laws on the matter. 2. The performance of an act containing data no longer corresponding to the truth is equivalent to the use of a false deed. 3. The substitutive declarations made pursuant to articles 46 and 47 and the declarations made on behalf of the persons indicated in article 4, paragraph 2, are considered as made to a public official. 4. If the offenses indicated in paragraphs 1, 2 and 3 are committed to obtain the appointment to a public office or the authorization to practice a profession or art, the judge, in the most serious cases, may apply the temporary interdiction from public offices or from profession and art.

²⁹Presidential decree of 28 December 2000, n. 445: Art. 40 (L) Certificates - 01. The certifications issued by the public administration in relation to states, personal qualities and facts are valid and can only be used in private relations. In relations with the organs of the public administration and the managers of public services, certificates and notices are always replaced by the declarations referred to in articles 46 and 47. 02. On the certifications to be produced to the private subjects, the words: "The present certificate cannot be produced to the organs of the public administration or to the private operators of public services". 1. The certifications to be issued by the same office in relation to states, personal qualities and facts concerning the same person, within the same procedure, are contained in a single document.

³⁰Presidential decree of 28 December 2000, n. 445: Art. 43 (L - R) Office investigations - 1. The Public administrations and managers of public services are required to acquire ex officio the information referred to in the substitutive declarations referred to in Articles 46 and 47, as well as all data and documents held by public administrations, subject to indication by of the interested party, the indispensable elements for obtaining the requested information or data, or accepting the substitute declaration produced by the interested party. (L). 2. Without prejudice to the prohibition on access to data other than those for which it is necessary to acquire certainty or verify the accuracy, it is considered to be operated for purposes of significant public interest, for the purposes of the provisions of Legislative Decree 11 May 1999, n. 135, the direct consultation, by a public administration or a public service operator, of the archives of the certifying administration, aimed at ascertaining the office of states, qualities and facts or the control of substitutive declarations presented by citizens. For direct access to its archives, the certifying administration issues to the administration the appropriate authorization in which are indicated the limits and access conditions

without delay, the certificates and other forms of documentary evidence of the case, with the following exceptions:

- a) whether the Lead procurer is able to acquire the additional documentation directly by accessing a national database which is available free of charge in any Member State³².

The undersigned formally consents to the Lead procurer gaining access to documents supporting the information, which has been provided in [to the part/section/point or points] of this Declaration of honour with respect to the Exclusion Criteria and absence of conflict of interest.

Full name [____], Date [____], Place [____], Signature [____]

aimed at ensuring the confidentiality of personal data in accordance with current legislation. (L). 3. The proceeding administration operates the acquisition of office, pursuant to the preceding paragraph, exclusively by electronic means (L). 4. In order to facilitate the acquisition of office of information and data relating to states, personal qualities and facts, contained in registers, lists or public registers, the certifying administrations are obliged to allow the administrations proceeding, without charges, to consult by electronic means of their computer files, in compliance with the confidentiality of personal data. (R). 5. In all cases in which the proceeding administration directly acquires information relating to states, personal qualities and facts to the administration responsible for their certification, the issuing and acquisition of the certificate are not necessary and the aforementioned information is acquired, without charges, by any means suitable to ensure the certainty of their source of origin. (R). 6. The documents transmitted by anyone to a public administration by fax, or by other electronic or computerized means suitable for ascertaining the source of origin, satisfy the requirement of the written form and their transmission must not be followed by that of the original document. (R).

³¹Presidential decree of 28 December 2000, n. 445: Art. 46 (R) Declarations replacing certifications - 1. The following statuses, personal qualities and facts are evidenced by declarations, also contextual to the request, signed by the interested party and produced in substitution of the normal certifications: a) date and place of birth; b) residence; c) citizenship; d) enjoyment of civil and political rights; e) status of unmarried, married, widowed or free state; f) family status; g) existence in life; h) birth of the child, death of the spouse, ascendant or descendant; i) registration in registers, registers or lists held by public administrations; l) belonging to professional associations; m) educational qualifications, exams taken; n) professional qualification held, title of specialization, qualification, training, updating and technical qualification; o) income or economic situation also for the purpose of granting benefits of any kind provided for by special laws; p) fulfillment of specific contributory obligations with indication of the amount paid; q) possession and number of the tax code, VAT number and any data present in the tax register database; r) state of unemployment; s) retirement and retirement categories; t) student quality; u) quality of legal representative of natural or legal persons, guardian, curator and the like; v) registration with associations or social formations of any kind; z) all situations relating to the fulfillment of military obligations, including those attested in the service record sheet; aa) not to have received criminal convictions and not to be the recipient of provisions concerning the application of security measures and prevention measures, civil decisions and administrative measures entered in the criminal record according to current legislation; (letter as amended by Article 49 of Italian Legislative Decree No. 313 of 2002); bb) not to be aware of being subjected to criminal proceedings; bbb) not to be the institution receiving judicial orders that apply the administrative sanctions referred to in Legislative Decree 8 June 2001, n. 231; (letter introduced by Article 49 of Italian Legislative Decree No. 313 of 2002); cc) quality of living dependency; dd) all data directly known to the interested party contained in the registers of civil status; ee) not to be in a state of liquidation or bankruptcy and not having submitted an application for an arrangement.

³²On condition that the economic operator has provided the necessary information (web address, issuing authority or body, precise reference of the documentation) allowing the Lead procurer to acquire the documentation. Where required, this must be accompanied by the relevant consent to such access.