

(to be inserted in the Envelope: Application Form

APPLICATION FORM

Company stamp

SUBJECT: open procedure for the “for the installation of oceanographic buoys for automatic measurement of marine weather parameters with remote control system and remote management of data transmission”

**SUBSTITUTE STATEMENT PREPARED IN ACCORDANCE
The Presidential Decree # 445 OF December 28, 2000**

The undersigned born at
on Tax Registration Number living in
.....address number province,
aware of the loss of the benefits and of the penalties provided for in the case of false statement or statements containing
inaccurate or outdated information, as stated in Articles 75 and 76 of Presidential Decree no. 445 of 28 December 2000

WITH REGARD

To the subject of the Tender, requests to take part in the tender for Lot n _____. (or for Lots number 1 and 2)

STATES

To be the legal representative, holding the position of (indicate position of the legal representative
within the company) of the company (indicate the exact name including the legal form)
corporate purpose with registered office in
.....
address no. province
with operational office (if different from the registered office) in
via no. province
Chamber of Commerce of registered under the Economic Administrative Index on
.....
Tax Identification Number Value Added Tax Number
phone number fax number e-mail certified electronic mail
INAIL Customer Code no. at the headquarters of
Employee Register ⁽¹⁾ (with employees) no. ¹
Employee Register ⁽¹⁾ (no employees, sole proprietor) no.
at the headquarters of.....
Applied National Labor Collective Contract:

¹(¹) N.B. In case of missing INPS registration, specify the reasons in an attached note, including, when applicable, the different fund registration.

A) STATEMENT ON GENERAL REQUIREMENTS

That the economic operator is not in any of the Tender exclusion scenarios referred on art. 38 c. 1 of legislative Decree No. 163/2006, and in particular:

- a) that the economic operator is not in a state of bankruptcy, compulsory liquidation, arrangement with creditors, except in the case of Article 186-bis of the Royal Decree of 16 March 1942, no. 267, or other equivalent situation according to the law of the country of establishment, and that there are no pending proceedings for declaring one of these situations;
- b) that against it and against (select options that relate to your situation)
 - the owner and technical director, if any (if it is a sole proprietor)
 - the partners and technical director, if any (if it is a general partnership);
 - the general partners and technical director, if any (if it is a limited partnership);
 - the directors with power of attorney, the technical director, if any, the sole shareholder or the majority partner in companies with less than four partners (in the case of another type of company or consortium);
 - the associated professionals and technical director, if any (if it is a group practice);
 - (if any) the attorney (s) signing this statement and / or the economic offer and / or any additional documents to the offer;
 and specifically Mr. / Mrs. / Ms. (indicate name, surname, date and place of birth, address, tax identification number and office held to the statement below):

Name and Surname	Born at	On date	Office held	
			Legal Representative	Technical Director

There are no pending proceedings for the application of one of the preventive measures in art. 6 of Legislative Decree No. 159/2011 or any of the causes listed in Article no. 67 of the same legislative decree;

- c) that the economic operator has not infringed the prohibition of trust placed by art. 17 of the Law of 19 March 1990, no. 55 (it is recalled that the exclusion has a duration of one year from the final confirmation of the violation and still has to be prepared if the violation has not been removed);
- d) that the economic operator did not commit any serious offenses to the regulations on safety and any other obligation arising from the employment relationships resulting from data held by the Labor Board;

- e) that the economic operator has not committed any gross negligence nor bad faith in carrying out the tasks assigned by the contracting authority nor has committed any serious error in the exercise of their professional activities;
- f) that the economic operator has not committed any serious violations, definitely ascertained, with respect to the obligations related to the payment of taxes and fees, according to the Italian law or that of the State where they are established; this situation can be regularly checked by the competent Office of the Revenue of _____;
- g) that, pursuant to paragraph 1-ter, art. 38, Legislative Decree. No. 163/2006, there are no records of criminal information under Article 7, paragraph 10, of the same Decree. No. 163/2006, against the economic operator for presenting false statement or false documentation about requirements and relevant conditions for participation in tenders and the award of subcontracts;
- h) that the economic operator has not committed any serious violations, definitely ascertained, to the regulations of social security and welfare, according to the Italian law or the State where they are established
- i) that the applicant has a number of employees, billable in accordance with art. 4 of Law no. 68/1999, equal to the number on the payroll and that (fill / select the field of relevance or cross out / delete the option if it does not relate to your situation):

certification can be requested to the appropriate Provincial Labor Board _____;

or

it is not subject to these regulations;

- j) that there has not been applied any sanction of disqualification of art. 9, paragraph 2, letter c) of Legislative Decree. No. 231/2001 or other penalty against the economic operator, which would imply a ban on contracting with the public administration including measures for disqualification under Article 14, paragraph 1, of Legislative Decree no. 81 of 2008;

- k) (select options that relate to your situation)

that the subject referred to in subparagraph b), that may have been a victim of crimes punished under art. 317 and 629 of the Penal Code aggravated by the article. 7 of the Decree-Law of 13 May 1991 no. 152, ratified with amendments by Law 12 July 1991, no. 203, have failed to report the facts to the judicial authority, unless it satisfies the cases provided for in Article 4, first paragraph, of the law 24 November 1981 no. 689; [The condition above must emerge from the clues providing the basis of the request for indictment made against the accused in the year prior to the date of publication of the notice and must be communicated, together with the details of the person who has failed the aforementioned complaint, the Public Prosecutor Prosecuting Authority referred to in Article 6 of Legislative Decree. no.163 / 2006, which takes care of the publication of the notice on the website of the Labor Board];

or as an alternative

that the person referred to in subparagraph b), has not been a victim of crimes punished under art. 317 and 629 of the Penal Code aggravated by the article. 7 of the Decree-Law of 13 May 1991 no. 152, ratified with amendments by Law 12 July 1991, no. 203 and have failed to report the facts to the court;

- l) that they have read and acknowledge the Tender Documentation and have reviewed the places where it will supply the installation and accept, without any conditions or reservations, all the rules and conditions contained in the Tender Documentation;

- m) to have read and to have taken into account in the formulation of the Offer, all contractual conditions and related expenses, including any expenses related to the collection, transportation and disposal of waste and / or processing residues, and the obligations and charges related to the provisions on safety, insurance, working conditions and social security and assistance in force at the place where the contract is to be performed;
- n) to commit themselves to the technically and qualitatively consistent supply meeting the requirements of the Technical Specifications and as proposed in the Offer;
- o) to authorize the processing of personal data for purposes related to the performance of this tender, pursuant to Legislative Decree 196/2003;
- p) (select options that relate to your situation)
- to authorize the Stazione Zoologica to release copies of all documents submitted for participation in this tender procedure if a competitor exercises its right of access to documents under Law 241 / 1990;
 - not to authorize the Stazione Zoologica to release copies of all documents submitted for participation in this tender procedure if a competitor exercises its right of access to documents under Law 241 / 1990 (If the competitor does not intend to allow access, attach the tender documentation (administrative envelope, appropriate statement, highlighting the reasons for the denial and attach appropriate documentation that specifies the grounds of opposition, appropriately documented. Failing this, the offer shall be deemed accessible and the contractor will allow the reading rights and / or the release of copies without the possibility of subsequent opposition from against the concerned parties.)
- q) that against it and against (select options that relate to your situation)
- the owner and technical director, if any (if it is a sole proprietor)
 - the partners and technical director, if any (if it is a general partnership);
 - the general partners and technical director, if any (if it is a limited partnership);
 - the directors with power of attorney, the technical director, if any, the sole shareholder or the majority partner in companies with less than four partners (in the case of another type of company or consortium);
 - the associated professionals and technical director, if any (if it is a group practice);
 - (if any) the attorney (s) signing this statement and / or the economic offer and / or any additional documents to the offer;

and specifically Mr. / Mrs. / Ms. (indicate name, surname, date and place of birth, city of residence, position and eventual convictions of all persons referred to in the list below), as well as to the subjects who are no longer in office in the year prior to the publication of the tender notice, and in particular Mr. / Mrs. / Ms. (indicate name, surname, date and place of birth, city of residence, tax identification number, position and eventual convictions of all persons who resigned from office in the year prior to the publication of the tender notice):

	Surname and name	Born in	on date	Living at	Office held	
					Legal Representative	Technical Director
1						
2						
3						
4						
5						
6						
7						

(eventual – cross out if it does not apply)

Mr. / Mrs. / Ms. _____ has been convicted in relation to

_____ under art. _____ of
the Code of Criminal Procedure on the year _____ and he/she has
_____ (indicate if he/she pled guilty, served the sentence or other.

Mr. / Mrs. / Ms. _____ has been convicted in relation to

_____ under art. _____ of
the Code of Criminal Procedure on the year _____ and he/she has
_____ (indicate if he/she pled guilty, served the sentence or other.

no sentence has been pronounced by a judgment which has the force of res judicata nor a criminal sentence has become irrevocable, nor judgment enforcing the penalty on request, in accordance with art. 444 of the Code of Criminal Procedure, for serious offenses against the State or the Union that may affect the professional conduct. In respect to the same subject above, no sentence has been pronounced by final judgment for one or more offenses of participation in a criminal organization, corruption, fraud, or money laundering, as defined by the Union acts mentioned in Article 45, paragraph 1, EC Directive 2004/18.

r) That the economic operator (select the applicable option suitable to the situation):

states that it is not in a control relationship referred to in Article 2359 of the Civil Code with any entity, and that it made the offer as an independent entity;

or, alternatively

claims not to be aware of the participation in this procedure of subjects that are in one of the control relationships from the economic operator, as specified in Article 2359 of the Civil Code, and that it made the offer as an independent entity;

or, alternatively

claims to be aware of the participation in this procedure of subjects that are in one of the control relationships from the economic operator, as specified in Article 2359 of the Civil Code, and that it made the offer as an independent entity;

STATEMENT ON TECHNICAL PROFESSIONAL CAPABILITIES

- s) The company has made over the last three years prior to the date of publication of the tender notice, regular execution of at least one or more agreements that have resulted in the design and installation support, or installation, in bodies of water of at least one oceanographic buoy for automatic measurement of marine weather parameters with remote control system and remote management of data transmission for an amount not less than Euro 100,000.00 (one hundred thousand / 00), excluding Value Added Tax

(List of contracting parties, type of services supplied, times and amounts)

Contracting party:
 Goods and services supplied:
 Execution period: from to
 Amount euro, 00 (excluding VAT)
 Contracting party:
 Goods and services supplied:
 Execution period: from to
 Amount euro, 00 (excluding VAT)
 Contracting party:
 Goods and services supplied:
 Execution period: from to
 Amount euro, 00 (excluding VAT)

STATEMENT ON FINANCIAL AND ECONOMIC CAPABILITIES

- t) It states it has achieved global sales for € in the last three years prior to the date of the tender notice (excluding VAT).

(Summary of turnover achieved in the last three years, excluding VAT)

year 20.... :
 year 20.... :
 year 20.... :

- u) It states it completed a turnover on supplies in the area of competition over the last three years not less than the base amount of the tender for the Lot(s) for which the competitor competes.

Place and date

Signature

.....

ATTACH A COPY OF AN IDENTITY DOCUMENT OF THE DECLARANT, UNDER THE PENALTY OF EXCLUSION.