

Form A - CALL FOR PROPOSAL



Consolato Generale d'Italia
Toronto

SOLE DOCUMENT OF REQUIREMENTS (DUR)

All the information must be entered by the economic operator, unless otherwise provided

PART I: INFORMATION ON THE TENDERING PROCEDURE AND THE CLIENT

Identity of Client:	Answer:
Name	Consolato Generale d'Italia - Toronto
Title or short description of contract:	DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR BUILDING MAINTENANCE WORKS AT CONSULATE GENERAL OF ITALY IN TORONTO
Tender Identification Code (CIG):	

PART II: INFORMATION ON THE ECONOMIC OPERATOR

A. Identification data of the economic operator	Answer:
Name:	
National identification number, if applicable (HST number, Business number, OCN...)	
Address:	
Contact person: Telephone #: E-mail: (website) (if available):	

The economic operator is registered in an official list of entrepreneurs or professionals, has the relevant certification?	[] YES [] NO [] Not applicable
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The economic operator will be able to provide a certificate regarding the payment of social security contributions and taxes, or provide information that allows the contracting authority to directly obtain this document available free of charge? If the relevant documentation is available electronically, please indicate:	a) ☐ YES ☐ NO (web address, issuing authority or body, precise reference of the documentation):
Form of participation:	Answer:
(if any) Does the economic operator participate in the procurement procedure together with others ⁽¹⁾ ?	☐ YES ☐ NO

PART III: GROUNDS FOR EXCLUSION

Those who have been convicted, with a final criminal sentence, in Italy or in the country where the contract takes place, for one or more of the following reasons are excluded from participation in the selection: (1) participation in a criminal organization; (2) corruption; (3) fraud; (4) terrorist offenses or offenses related to terrorist activities; (5) money laundering or terrorist financing; (6) child labor and other forms of human trafficking; (7) any other crime resulting in the inability to contract with the public administration. The situations relevant to exclusion are those provided for by Italian law, as well as:

1. in the member states of the European Union, the situations indicated in the internal legislation that transposed Article 57 of Directive 2014/24 / EU;
2. in countries not belonging to the European Union, the equivalent situations provided for by local criminal legislation.

A: Grounds related to criminal convictions

Has the economic operator or a member of its management or supervisory bodies or anyone who has powers of representation, decision or control in the economic operator been convicted for one of the reasons indicated above with a final sentence pronounced no more than five years ago or after which a period of exclusion established in the judgment is still applicable?

☐ YES ☐ NO

2) **IF YES**, indicate (repeating as many times as necessary):

- a) the date of conviction, which points from those reported from 1 to 7 and the reasons for conviction;
- b) identification data of the convicted persons;
- c) duration of the period of exclusion established by the conviction.

- a) Date: [.....],
- b) Length of sentence: [.....],
- c) Reasons: [.....],
- (b) [.....],
- (c) duration of the exclusion period [.....],

¹ Specifically, as part of a grouping, consortium, joint venture or other

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3) In the event of convictions, what measures has the economic operator taken to demonstrate its reliability (*self-cleaning*)? *[Indicate measures taken]*

[.....]
[.....]
[.....]
[.....]

B: Reasons related to the payment of taxes or social security contributions

Payment of taxes, fees or contributions

Has the economic operator fulfilled all obligations relating to the payment of taxes, fees or social security contributions, in the country where it is established, in Italy and in the country where the contract takes place?

☐ YES ☐ NO

2) **IF NOT**, indicate:

- a) the State where the non-compliance occurred;
- b) the amount;
- c) how the non-compliance was established;
- (d) measures taken to remedy it;

a) [.....]
b) [.....]
c) [.....]
d) [.....]

C: Reasons related to insolvency, conflict of interest or professional misconduct

1) Has the economic operator violated, to the best of his knowledge, obligations regarding health and safety at work, environmental, social and labor law? ☐ YES ☐ NO

2) Is the economic operator in any of the following situations and is not subjected to a procedure for ascertaining one of the following situations:

a) bankruptcy, insolvency proceedings, liquidation, composition with creditors, receivership or another similar situation ☐ YES ☐ NO

b) has ceased its activities ☐ YES ☐ NO

3) Has the economic operator found guilty of serious professional offenses? ☐ YES ☐ NO

4) Has the economic operator signed agreements with other economic operators intended to distort competition? ☐ YES ☐ NO

5) Is the economic operator aware of any conflict of interest related to his participation in the procurement procedure? ☐ YES ☐ NO

6) Did economic operator or a company related to him provide advice to the Client nor did they otherwise participate in the preparation of the procurement procedure? ☐ YES ☐ NO

7) Has the economic operator already had an experience of early termination of a previous public procurement or have any damages or other penalties been imposed on him in relation to a previous public procurement?

☐ YES ☐ NO

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8) The economic operator:

- a) has been found seriously guilty of misrepresentation in providing the information required to verify the absence of grounds for exclusion or compliance with the selection criteria? [☐ YES [☐ NO
- b) has concealed such information [☐ YES [☐ NO
- c) has been able to transmit without delay the additional documents requested by a Client ? [☐ YES [☐ NO
- d) has attempted to unduly influence the decision-making process of a Client, has attempted to obtain confidential information that may give it undue advantages in the procurement procedure, has provided misleading information which may have a significant influence on decisions concerning the procedure of contract awarding? [☐ YES [☐ NO

(9) If the answer to any of the questions in this Section C is yes, please indicate the situations that have occurred and what measures the economic operator has taken to demonstrate its reliability (*self-cleaning*):

[.....]

[.....]

D: Reasons for exclusion provided for by Italian law and equivalent situations provided for by the law of the country where the contract is held

Is the economic operator in any of the following situations?

- 1. there are causes of forfeiture, suspension or prohibition provided by the anti-mafia legislation against him [☐ YES [☐ NO
- 2. is subject to infiltration by organized crime [☐ YES [☐ NO
- 3. was subject to the prohibition of the exercise of the activity or to other sanction that involves the prohibition of contracting with the public administration [☐ YES [☐ NO
- 4. is registered in the computer file kept by the National Anti-Corruption Authority for having presented false declarations or false documentation for the purpose of issuing the qualification certificate, for the period during which the registration continues [☐ YES [☐ NO
- 5. has violated the ban on fiduciary registration [☐ YES [☐ NO
- 6. do not respects the rules on the right to work of the disabled [☐ YES [☐ NO
- 7. if you have been a victim of the crimes of extortion and extortion committed by organized crime or by those who intended to facilitate the activity of organized and non-organized crime and there is no case of necessity or self-defense, have you reported the facts to the judicial authority [☐ YES [☐ NO
- 8. is in a situation of control or in any relationship, even de facto, with respect to another participant in the same assignment procedure, if the control situation or the relationship means that the offers are attributable to a single decision-making center [☐ YES [☐ NO
- 9. has concluded employment or self-employed contracts and, in any case, has assigned tasks to former employees of the Client who have ceased their employment relationship for less than three years and who in the last three years of service have exercised authoritative or negotiating powers on behalf of the Client towards the same economic operator (*pantouflage* or revolving door)? [☐ YES [☐ NO

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PART IV: SELECTION CRITERIA

1. The economic operator meets all the selection criteria required in the documentation relating to the selection
[] YES [] NO

A: ELIGIBILITY

Registration in a professional or commercial register kept in the State of establishment for a relevant activity even if it does not coincide with the subject matter of the contract :

[.....]

[.....]

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

[.....]

[.....]

Is a special authorisation or membership of a particular organisation (directories, registers, etc.) required to perform the service in question in the country of establishment of the economic operator? [] YES [] NO

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

[.....]

[.....]

PART V: FINAL DECLARATIONS

The undersigned (s) formally declare that the information contained in parts II to IV is true and correct and that the undersigned (s) is aware / are aware of the consequences, including of a criminal nature, of a serious false declaration, provided for by the Italian and Canadian laws.

The undersigned hereby certify the absence of the grounds for exclusion provided for in Part III and the possession of the requirements referred to in Part IV.

The undersigned formally authorize the Client, referred to in part I, to carry out checks at the competent local authorities on the veracity of the declarations made on the requirements.

Toronto,

.....
(legal representative of the company)

(COPY OF IDENTITY DOCUMENT REQUIRED)

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INFORMATION ON THE PROTECTION OF NATURAL PERSONS WITH REGARD TO THE PROCESSING OF PERSONAL DATA

Regulation (EU) 2016/679, Art. 13

This policy, pursuant to EU Regulation 2016/679 (GDPR), indicates the ways in which personal data is processed. In compliance with the aforementioned legislation and consequent rights and obligations, we inform you:

1. Data Controller - The Data Controller is the MAECI C.F.80213330584, in the person of the pro tempore legal representative, who, in this specific case, operates through the contracting authority as identified in the tender documents:
- email: urp@esteri.it ; PEC: ministero.affariesteri@cert.esteri.it;
2. Data Protection Officer - The Data Protection Officer can be reached at the following email address: : rpd@esteri.it ;
PEC: rpd@cert.esteri.it;
3. Purposes of the processing - Personal data are processed and collected for the following purposes:
 - A. administrative-accounting purposes in relation to the evaluation of the pre-contractual request of the interested party (such as those for registration in the Register of Suppliers), the evaluation of the assignment and the possible fulfilment of the same.
 - B. fulfilment of legal obligations (such as anti-money laundering checks, communications for tax purposes), EU regulations and/or standards as well as rules issued by supervisory and control authorities or other authorities entitled to do so.
4. Legal basis of data processing - For the purposes indicated in letters A), the processing is necessary for the execution of a contract to which the data subject is a party or for the execution of pre-contractual measures adopted at the request of the same, pursuant to art. 6, par. 1, letter b) of EU Regulation 2016/679. For the purposes indicated in letter B), the processing is necessary to comply with a legal obligation to which the data controller is subject and the provision of data is mandatory, pursuant to art. 6, par. 1, letter c) of EU Regulation 2016/679.
5. Methods of processing and storage of personal data - The processing of personal data is carried out using manual, IT and telematic tools (web management software), with logics strictly related to the purposes of the entity itself and, in any case, in such a way as to guarantee their security and confidentiality in compliance with current legislation. The Data Controller undertakes to store and control personal data by adopting the appropriate technical and organizational measures necessary to counter the risks of destruction or loss, unauthorized access or processing that is not permitted or does not comply with the purposes for which they were collected. In compliance with the principles of lawfulness, limitation of purposes and minimization, the data will be stored for the entire duration of the processing and also subsequently for the time necessary for the purpose of extinguishing the obligations incumbent on the entity [entity] and for the fulfilment of any legal obligations connected or deriving from them, including with regard to the management of public archives in compliance with the Code of Ethics and Good Conduct for Data Processing for historical and statistical purposes.
6. Special categories of personal data - Data revealing racial or ethnic origin (with reference to the certificate of citizenship), data relating to health, data relating to the sex life or sexual orientation of the person, political and trade union beliefs, religious, philosophical and other comparable beliefs, which can be qualified as "special categories of personal data", as well as data relating to criminal convictions and offences pursuant to art. 10 of EU Regulation 2016/679 will be processed exclusively with the consent of the data subject in the exercise of the tasks and functions for the fulfilment of the obligations deriving from the legislation and for the purposes indicated in point 3 above and according to the legal basis specified in point 4.
7. Recipients - The personal data processed by the entity may be communicated to public bodies and entities in accordance with the provisions of current legislation, as well as to consultants appointed by the same entity. The data provided by the Data Subject may also be communicated to external parties such as consultants, lawyers, companies that supply hardware, software and manage networks and computer systems (outsourcers), companies for document archiving and conservation services, as well as patronages, organizations, associations, companies. The interested party gives his/her consent to the publication of the aforementioned data and the essential elements of the contract stipulated on the client's website, in accordance with the Italian legislation on the transparency of public contracts;
8. Transfer of data abroad – Pursuant to Article 49, personal data may be transferred to third countries outside the European Union or to international organizations, where the transfer is necessary for the execution of the contract or for the execution of pre-contractual measures adopted at the request of the data subject.
9. Rights of the data subject - The rights of the data subject are provided for by articles 15 to 22 of EU Regulation 2016/679 including those of: - Request confirmation of the existence or otherwise of their personal data. - Access data concerning

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him at all times. - Obtain information about the purposes of the processing, the categories of personal data, the recipients or categories of recipients to whom the personal data have been or will be communicated and, when possible, the retention period (art.15). - Obtain rectification or, if the data are processed in violation of the law or incomplete or incorrect, the deletion of the data or blocking of the same (art. 16) (art. 17). - Obtain the limitation of processing (art. 18). - Obtain data portability, i.e. receive them from a data controller, in a structured, commonly used and machine-readable format, and transmit them to another data controller without hindrance (art. 20). - Object to the processing of your data at any time for legitimate reasons (art. 21). - Object to automated decision-making related to individuals, including profiling. - Ask the data controller to update, supplement or limit the processing concerning the data subject (art. 22). - Withdraw consent at any time without prejudice to the lawfulness of the processing based on the Consent given before the withdrawal (art.7). - Lodge a complaint with a supervisory authority, in particular in the Member State where the data subject habitually resides, works, or the place where the alleged infringement occurred. For Italy, this authority is the "Garantor for the protection of personal data", established by Law no. 675 (<http://www.garanteprivacy.it/>) of 31 December 1996 (art. 77). The aforementioned rights may be exercised at any time by writing to the Data Controller, at the e-mail address as indicated in point 1.

Toronto,

For acknowledgment and consent:

(legal representative of the company)