

**REGULATION FOR THE REGISTRATION AND MANAGEMENT
OF THE ACCREDITED SUPPLIERS' REGISTER
OF SLOVENIAN ECONOMIC OPERATORS TO BID FOR TENDERS
ISSUED BY
THE ITALIAN TRADE AGENCY - LJUBLJANA OFFICE**

This Regulation provides the methods of registration and current management of the Supplier Register established by ITA - Italian Trade Agency Office in Ljubljana.

It follows the Guidelines n. 4, issued by ANAC (Italian Anti-corruption Authority) with Resolution No. 1097, 26/10/2016 and Resolution No. 206, 1/3/2018 that put into effect the Italian Legislative Decrees n. 50/2016 and n. 56/2017 (issued in implementation of Directive 2014/24/ EU on public procurement).

The Directive 214/24/EU by the European Parliament and Council was also implemented in Slovenia on 1 April 2016 through the Public Procurement Act (ZJN-3).

Each Slovenian or foreign economic operator willing to participate and bid to tenders issued by the Italian Trade Agency – Ljubljana Office, must follow the requirements specified in the present Regulation, to be included in its official Suppliers' Register. As per art. 3, they will be admitted in the Suppliers Register - provided they request it - if fulfil some specific criteria of professional competence, economic and financial ability and technical/entrepreneurial skills. However, the registration itself does not imply any automatic title to receive invitations.

1. Authorized economic operators:

In accordance with European Directive 2014/24/UE on public procurement, as implemented by Italian Government into the Legislative Decree n. 50/2016, the economic operators admitted in participating to ITA tenders can be:

- a. individual entrepreneurs;
- b. companies;
- c. group of companies;
- d. corporations.

The Directive 214/24/EU by the European Parliament and Council was also implemented in Slovenia on 1 April 2016 through the Public Procurement Act (ZJN-3).

2. Structure of the Suppliers' Register:

The Suppliers' Register is organized in in 2 main groups per amount rage: for contracts less than 40.000,00 Euros and for contracts from 40.000,00 to 220.999,00 Euros.

It will also be divided in 5 different product's macro-sections:

- a. purchase and print of promotional material;
- b. events and trade fairs set up organization and related services;
- c. office and stationary supplies;
- d. office maintenance and running services;
- e. providers of accountant/legal/technical assistance services.

Each economic operator may apply only to a maximum of 2 macro-sections and must indicate the related specific sectors of business, up to a maximum of 5. To be registered, each sector must be consistent with the corporate purpose of the company - as registered by

official entities or of the competent professional associations - and referred to its prevalent activity.

The Italian Trade Agency in Ljubljana reserves the right to accept requests for registration only for those goods and services that may need in its current activity.

3. Requirements to be part of the Suppliers' Register:

Each economic operator willing to participate to Italian Trade Agency – Ljubljana Office tenders must:

- a. be registered as a juridical subject among those categories stated in art. 1;
- b. have a fiscal position;
- c. declare to possess professional competence, economic and financial capability and technical and professional capacity;
- d. comply to social and labor national collective agreements;
- e. must not have incurred - during 3 years prior to the application - in assessed and serious breaches and deficiencies in the execution of contracts with ITA Ljubljana that resulted in the termination of the contract or the revocation of the award of a tender;
- f. declare that is not occurring any of the following causes of exclusion (as in Italian Art. 80 of Legislative Decree 50/2016):
 - participation in a criminal organization
 - corruption or fraud
 - money laundering and criminal activities
 - child labour and other forms of human smuggling
 - not compliance with payment of taxes or social security contributions
 - sanctions by the Slovenian and Italian regulations, with the prohibition of signing agreements and stipulating contracts with public administrations.

4. Guidelines to apply to Suppliers' Register:

Each economic operator, to be invited to bid, must apply, by submitting an application form and present all required documents stated in the following art. 5. and at the end of their review will receive from ITA Ljubljana confirmation of registration.

5. Documents required:

- a. letter of request to be enlisted in the Suppliers' Register of the Italian Trade Agency - Ljubljana Office, with the indication of the macro-section and related product/service categories for which the economic operator is applying;
- b. document of company registration;
- c. document of fiscal position;
- d. in case during the past 3 years the operator has never supplied any previous service to ITA Ljubljana and/or other offices/sections of the Italian Embassy in Slovenia, he needs to produce at least 2 letters of reference of past clients related to the previous 3 years or - as an alternative to the references and only for new suppliers - a certified copy of contracts and related invoices, issued not earlier than three years from the date of the application to this Register.

The application form, as well as the list of sub categories for each section, can be downloaded at the same link of the present Regulation:

www.ice.it/en/markets/slovenia.

6. Reviewing times and checks of applications:

Applications will be reviewed by ITA Ljubljana within 30 working days upon receipt of all documents requested in art. 5 and, if incomplete or irregular, the economic operator will receive an e-mail request for clarification/integration.

ITA will proceed with random checks on the authenticity of the claims made by the company. Failure to match with the results of the check will result in suspension or cancellation from the Register.

7. Random verification of requisites:

The Italian Trade Agency Office in Lubiana may proceed and carry out appropriate random checks on the veracity of the declarations given by the companies.

Lack of correspondence in what has been stated in the declarations and with the findings of the random check, will result in the suspension or the cancellation from the Suppliers Register.

8. Obligations of registered suppliers related to information updates:

All changes or modifications of the conditions/requirements stated in art. 3 must be updated in written within 30 days of change/modification of requirements.

9. Suppliers' register annual update:

The Italian Trade Agency – Ljubljana Office updates its suppliers' Register once a year, by requesting via e-mail to each of the registered subjects to submit within 30 days any modification.

10. Assessment of suppliers' activity:

Each service or good ordered under the present guidelines will be evaluated on a scale from 1 to 5 (1 - very poor; 2 - insufficient; 3 - sufficient; 4 - good; 5 - very good) according to parameters such as overall quality of goods, overall quality of services, timing of delivery of goods and/or services, flexibility in adjusting to requests from the Italian Trade Agency staff, etc.. ITA Ljubljana will calculate the resulting average rating. Upon request, the registered operator may receive a copy of the evaluation form.

11. Suspension of application:

If a company received an average evaluation of less than 3 points for its services with the Italian Trade Agency – Ljubljana Office during the past year, the effectiveness of the registration in the Suppliers Register will be suspended for no less than six months.

The suspension will also occur in case of failure in information updating, delays in deliveries or negative assessment report.

12. Cancellation:

A registered supplier will be cancelled from ITA Ljubljana Register if:

- he fails to comply with one of the situations listed in art. 3 of this Regulation;
- the assessments of more than one of his supply/service do not reach level 3;
- he has been excluded from tenders by other Public Administrations in Slovenia or Italy;

- he results non-compliant with a contract;
- loss of access requirements after he enrolment.

The cancellation will be adopted by the Director of ITA Ljubljana Office, who is Responsible for the procedure and formally communicated to the concerned party.

13. Procedures to bidding and rotation criteria for economic operators:

In selecting suppliers, ITA Ljubljana follows the Italian Legislative Decree 50/2016, and specifically its Art. 36, as well as in the ANAC Guidelines no. 4 mentioned in the introduction.

Economic operators will participate in bidding to tenders upon express invitation or answering a public notice published on the Italian Trade Agency web site www.ice.it/en/markets/slovenia and its Twitter profile.

ITA Ljubljana reserves the right to call the registered subjects considering a rotation between the members of the Register for the same product category, as well as the assessments described in art. 9.

Regarding rotation, in addition to a comparison in the supplier list, ITA Ljubljana will also consider: the number of enrolled companies in the category; the principle of exceptionality to extend an invitation to the exiting supplier (with the relative admissible exceptions); the missed answers to previous invitations; the possession, in some cases, of specific requirements (technical-professional, and economic-financial).

The enrolment in itself does not assume any automatic entitlement to receive an invitation to a tender.

14. Personal Data protection:

According to Italian Legislative Decree n. 196/2003 and European Regulation n. 679/2016, all companies' data will be processed exclusively for the purposes permitted by law, in accordance with the current provisions on personal data protection.

15. Final Provision:

All registered suppliers will be duly and timely informed by the Italian Trade Agency – Ljubljana Office about any change that might occur to this Regulation.

Effective from November 30, 2018