

ANNEX 3 FOR TENDER PROCEDURE BELOW THE EU THRESHOLD

MANDATORY REQUIREMENTS

PART I: INFORMATION ABOUT THE TENDER AND THE CLIENT

Client's Identity	Answer:
Name:	ITALIAN TRADE AGENCY//ITALIAN TRADE COMMISSION
Title or brief description of the Contract:	Design, lease of shell scheme, display structures, artwork and provision of ancillary services to the ITA Pavilion at Fine Food 2021 Exhibition
CIG / Contract's identification Number	876674747C

PART II: INFORMATION ON THE ECONOMIC OPERATOR

A. Details of the Economic Operator	Answer:
Name of Organisation:	[.....]
National identification number, if required (ACN, ABN, etc.)	[.....]
Postal Address:	[.....]
Contact Person: Telephone Number: E-mail: website:	[.....] [.....] [.....] [.....]

B. Economic Operator's Agents (if any)	Answer:
Full name:	[.....]
Place and Date of Birth:	[.....]
Position / Role	[.....]
Power to bind Economic Operator (Y/N):	[.....]
Registered Address/Postal Address	[.....]
Telephone Number:	[.....]
E-mail:	[.....]
Details on Agency agreement or power to represent the Economic Operator (form, limits, purpose):	[.....]

PART III: GROUNDS FOR EXCLUSION

A: Grounds for exclusion: criminal convictions

Those who have been convicted before a federal or state criminal court (in Italy or in Australia) and for the following crimes, will be excluded from participation to the selection process: (1) criminal conspiracy; (2) bribery; (3) fraud; (4) crimes related to terrorist activities; (5) money laundering or terrorism financing; (6) child labor and other forms of human trafficking; (7) any other crime that carries the sanction to forbid the individual from deal with public entities (at a federal, state or local level). Relevant reasons for exclusion are those regulated under Italian law, as well as:

- in the EU Member States, the factual circumstances described under Article 57 of Directive 2014/24 / EU;

- in non-EU countries, the equivalent circumstances regulated under local criminal law.

A. Criminal convictions	Answer:
1) Has the Economic Operator or a member of its management or audit teams or anyone with agency or control power been convicted for one of the above-mentioned crimes with a final judgment in the last five years or after which a period of exclusion set out in the judgment is still applicable?	[] Yes [] No
2) If so, indicate (repeat if needed): a) the date of the final judgement, which crimes and the grounds for the conviction; b) details of individuals convicted; c) duration of the period of exclusion established by the judgement.	a) Date of judgment: [.....]; b) Sentencing: [.....] c) Reasons: [.....] d) Duration of the period of exclusion [.....]
3) In case of any convictions, what measures the Economic Operator has undertaken to re-establish his credibility (<i>self-cleaning</i>)?	[Indicate measures taken]

B: Grounds for exclusions related to tax liabilities or entitlements

B. Payment of taxes, duties or entitlements	Answer:
1) Has the Economic Operator fulfilled all of its obligations relating to the payment of taxes or entitlements in Italy, in the Country where it is established and where the Contract is being performed?	[] Yes [] No
2) If you answered no to the above, please indicate: a) the State where the non-compliance occurred; b) the amount; c) how the non-compliance was established; d) measures taken to remedy the non-compliance.	a) [.....] b) [.....] c) [.....] d) [.....]

C: Grounds for exclusion related to insolvency, conflict of interests or professional misconduct

C. Information related to insolvency, bankruptcy, conflict of interest or professional misconduct	Answer:
1) Has the Economic Operator, to the best of its knowledge, breached any of the following laws: health and safety; environmental; employment law?	[] Yes [] No
2) Is the Economic Operator currently under, or it is subject to proceedings to ascertain, any of the following situations: a) bankruptcy, insolvency, liquidation, receivership or any other similar proceedings? b) has it ceased its business activities?	a) [] Yes [] No b) [] Yes [] No
3) Has the Economic Operator, its member, representatives, agents, employees, contractors been found guilty of serious professional misconduct?	[] Yes [] No
4) Has the Economic Operator entered into agreements with other Economic Operators to distort competition in breach of unfair trading laws?	[] Yes [] No
5) Is the Economic Operator aware of any conflict of interest affecting its participation in this tender?	[] Yes [] No
6) Has the Economic Operator or any of its related entities, members, representatives, agents, employees, contractors provided advice or are otherwise involved in the preparation of this tender procedure and the award of the Contract?	[] Yes [] No
7) Has the Economic Operator been subject to early termination for default of a previous contract or has been found liable for damages in connection with an earlier contract?	[] Yes [] No
8) Has the Economic Operator: a) provided misleading information or has made false statements with respect to any grounds of exclusion stated in the selection criteria? b) concealed information? c) been able to convey without delay any additional documents required by a Client? d) attempted to unduly influence the decision-making process, attempted to obtain confidential information that may confer advantages in the procedure, provided misleading information that could have a substantial influence on the decisions concerning this tender?	a) [] Yes [] No b) [] Yes [] No c) [] Yes [] No d) [] Yes [] No
9) <u>If you have answered YES to any of the questions in this section C</u> , please indicate the circumstances that have occurred and what measures vendor has undertaken to re-establish its credibility (self-cleaning)	[Indicate measures taken]

D: Grounds for exclusion under Italian law and equivalent circumstances under the laws of the country where the contract is awarded and performed

D. Grounds for exclusion under Italian law	Answer:
<p>Is the Economic Operator in one of the following circumstances?</p> <p>1) it is subject to orders for revocation, suspension or prohibition under anti-mafia laws</p> <p>2) it is involved with criminal organizations;</p> <p>3) it has been interdicted from carrying out its business activity or has been subject to sanctions that involve a prohibition to contract with local and government authorities;</p> <p>4) its name is recorded by the National Anti-Corruption Authority (ANAC-Italy) for having submitted false statements or false documentation in order to obtain a certification;</p> <p>5) it has breached money-laundering laws;</p> <p>6) it complies with employment and workplace laws with respect to persons with disabilities;</p> <p>7) if it has been a victim of crimes of bribing and extortion committed by criminal organizations or any facilitators (and it has not claimed self-defense), it reported the events to the relevant authorities;</p> <p>8) it controls or has any relationship with any other participant in the same tender procedure, so as the offers submitted can be considered as coming from the same entity;</p> <p>9) it has employed or contracted with former employees of the Client who ceased their employment with the Client in the last three years, and who were managers with negotiating contracting authority on behalf of the Client with respect to the same Economic Operator (<i>pantouflage or revolving door</i>)?</p>	<p>1) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>5) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>6) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>8) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>9) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

PART IV: SELECTION CRITERIA

	Answer:
<p>Does the Economic Operator meet all the selection criteria required in the tender documents?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Part V: FINAL STATEMENT

I declare that the information provided in parts II to IV of this document are true and correct and that I am aware of the consequences, civil and criminal, in case of false statements or perjury under Italian and Australian laws.

I hereby confirm the absence of grounds for exclusion referred to in part III, and the possession of the requirements set out in part IV above.

I authorize the Client indicated in part I, to verify the veracity of the statements made about the requirements to participate to the tender with the competent authorities.

I unconditionally accept the terms and conditions contained in the letter of invitation and in this *Annex – Mandatory Requirements for Tender Procedures under the European Union Threshold*, which forms part of the Contract.

[Place and date]

[Name, last name and title of signatory/signatories]

Name of witness _____

Address of witness _____

Capacity of witness _____

And as a witness, I have confirmed the deponent's identity using the following identification document:

Identification document relied on¹

Signature of witness _____

[¹ "Identification documents" include current ID, driver licence, or passport]

PRIVACY AND PERSONAL DATA

Regulation (EU) 2016/679, art. 13

The collection and processing of personal data by the Italian Trade Agency is carried out exclusively for the purpose of its activities and institutional objectives, and it is based on the principles of lawfulness, fairness, transparency and protection of the fundamental rights and freedoms of individuals. In this regard, the following information is provided:

1. The data holder is ICE – Italian Trade Agency (hereinafter only ITA) which operates through the Office of Sydney, Level 19, 44 Market Street, Sydney NSW 2000, e-mail sydney@ice.it, telephone +61 2 92999954.
2. ITA has appointed a Data Protection officer who, in the event of any issue or complaint, may be contacted at the following addresses: ICE – Italian Trade Agency - Via Liszt, 21 - 00144 Rome; e-mail: privacy@ice.it.
3. The personal data requested by the Client are necessary for the selection of the Economic Operator and the awarding process.
4. The supply of data is mandatory under the Italian law, and any refusal to provide the information requested will result in the exclusion from the selection procedure or the awarding of the Contract.
5. Data management will be carried out manually or electronically by internal personnel.
6. The data will be transferred to internal and external auditing bodies of ITA. By signing this document, the Economic Operator provides its consent to the release of its data to the competent local authorities for their verification, and for the publication of the essential terms of the Contract on the Client's website, in accordance with Italian laws on transparency with respect to contracts entered by Economic Operators with Italian Government Authorities.
7. Data shall be kept for a minimum period of 5 years from the date the contractual relationship ends due to completion of performance or for any other reason, including termination for default. This term may be suspended in the event of court proceedings.
8. Each Economic Operator may obtain access to its data and may apply to update them, by submitting a request to the addresses indicated at point 1 above, and informing the Data Protection Officer at the addresses indicated at point 2.
9. If you believe your rights have been violated, you may file a complaint with ITA Data Protection Officer. Alternatively, you may contact the Data Protection Guarantor (Piazza di Monte Citorio 121, 00186 Rome; phone +39 06 696771; e-mail: garante@gdpd.it) or the judicial authority.

Date:

Signature of the interested party for acknowledgment and acceptance

.....

PLEASE ATTACH COPY OF ID OF EACH SIGNATORY