

ANNEX 2 (six pages)

**REQUIREMENTS FOR PROCUREMENT PROCEDURES
UNDER THE EUROPEAN UNION THRESHOLD**

Vendors must enter all information, unless differently stated

PART I

PROCUREMENT PROCEDURE AND BUYER INFORMATION

Buyer	Answer:
Name:	<i>(ITA - Italian Trade Agency, 1900 Avenue of the Stars, Suite 350, Los Angeles, 90067, CA)</i>
Title or brief description of the offer:	<i>Digital Marketing and Social Media Management Strategy and Execution - Framework contract for twenty-four months (24 months)</i>
CIG	9456275CFB

PART II: VENDOR'S DATA

A. Vendor data	Answer:
Name:	[.....]
TAX ID number	[.....]
Mailing Address:	[.....]
Contact Person:	[.....]
Telephone Number:	[.....]
PEC or e-mail:	[.....]
(website) <i>(if there is one)</i> :	[.....]

B. Vendor's Agents (if any)	Answer:
Full name:	[.....]
Place and Date of Birth:	[.....]
Working position/ Power to bind Vendor (Y/N):	[.....]
Mailing Address:	[.....]
Telephone Number:	[.....]
E-mail:	[.....]
If necessary, provide details on agency agreement (form, limits, purpose):	[.....]

PART III: REASONS FOR EXCLUSION

A: Reasons for exclusion: criminal convictions

Vendors who have been convicted before a federal or state criminal court (in Italy or in the US) and for the following crimes, will be excluded from participation in the bid selection: (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 (federal, state or local) entities. Relevant reasons of 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 factual equivalent circumstances regulated under local criminal law.

A. Reasons related to criminal convictions	Answer:
1) Has the vendor 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 an exclusion period 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 conviction; b) names of individuals convicted; c) duration of the exclusion period established by the judgement.	a) Date: [.....], Sentencing: [.....] Reasons: [.....] b) [.....] c) Duration of the exclusion period [.....]
3) In case of convictions, which measures vendor has undertaken to re-establish his credibility (self-cleaning)?	[Indicate measures taken]

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

B. Payment of taxes, fees or SS	Answer:
1) Has Vendor paid taxes, social security contributions and/or fees, in the country where it is established, in Italy and in the country where the bidding process takes place?	[] Yes [] No
2) If not, indicate: a) The State where the violation occurred; b) The amount; c) How the violation was proved; d) Measures taken to correct the violation;	a) [.....] b) [.....] c) [.....] d) [.....]

C: Reasons 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 vendor breached any of the following laws: health and safety; environmental; employment law?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2) Is vendor currently under: a) Bankruptcy, insolvency proceedings, liquidation, receivership and any other similar proceedings? b) Has ceased its business activities?	a) <input type="checkbox"/> Yes <input type="checkbox"/> No b) <input type="checkbox"/> Yes <input type="checkbox"/> No
3) Is vendor guilty of gross professional misconduct?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4) Has vendor entered into agreements with other vendors to influence competition?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5) Is vendor aware of any conflict of interest affecting his participation in this procurement?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6) Did vendor or any affiliated party provide advice to the buyer or have otherwise participated in the preparation of the bidding procedure?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7) Has vendor being terminated or being ordered to pay damages or similar penalties in relation to a previous procurement deal?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8) Has Vendor: a) been condemned for misrepresentation in supplying false information (in the case of absence of grounds for exclusion or compliance with the selection criteria)? b) concealed this information? c) been able to transmit promptly the additional documents requested by the buyer? d) attempted to unduly influence a buyer's decision-making process; attempted to obtain confidential information that may give undue advantages in the procurement procedure; provided misleading information that may have a significant influence on the decisions concerning the bid?	a) <input type="checkbox"/> Yes <input type="checkbox"/> No b) <input type="checkbox"/> Yes <input type="checkbox"/> No c) <input type="checkbox"/> Yes <input type="checkbox"/> No d) <input type="checkbox"/> Yes <input type="checkbox"/> No
9) <u>In case of a positive answer to any of the questions in this section C, indicate the circumstances that have occurred and what measures vendor has undertaken to re-establish its credibility (self-cleaning)</u>	[Indicate measures taken]

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

D. Reasons for exclusion under Italian law	Answer:
Is vendor in one of the following circumstances?	1) <input type="checkbox"/> Yes <input type="checkbox"/> No

1) Are there any grounds for revocation, suspension or prohibition under anti-mafia laws?	2) <input type="checkbox"/> Yes <input type="checkbox"/> No
2) Is the vendor at risk of infiltration by criminal organizations?	3) <input type="checkbox"/> Yes <input type="checkbox"/> No
3) Has vendor been banned from its business activity or has been subject to sanction involving prohibition to contract with the public administration?	4) <input type="checkbox"/> Yes <input type="checkbox"/> No
4) Is vendor registered with the Registry held by the National Anti-Corruption Authority for having submitted false statements in order to obtain a certificate?	5) <input type="checkbox"/> Yes <input type="checkbox"/> No
5) Has vendor violated the prohibition of registration through a fiduciary?	6) <input type="checkbox"/> Yes <input type="checkbox"/> No
6) Does vendor comply with employment law for disabled individuals?	7) <input type="checkbox"/> Yes <input type="checkbox"/> No
7) If vendor was a victim of crimes of bribing and extortion committed by criminal organizations or any facilitators (and this is not a self-defense claim), did vendor report the events to the prosecuting authorities?	8) <input type="checkbox"/> Yes <input type="checkbox"/> No
8) Does vendor control any another participant in the same bidding procedure because of the way the decisions are adopted?	9) <input type="checkbox"/> Yes <input type="checkbox"/> No
9) Has vendor entered into employment contracts and, in any case, has vendor assigned tasks to former employees of the buyer who have ceased to work for the buyer in the last 3 years and who were managers with negotiating contracting authority on behalf of the buyer with respect to the same vendor (<i>pantouflage or revolving door</i>)?	

PART IV: SELECTION CRITERIA

	Answer:
Does vendor meet all the selection criteria required in the bid?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Part V: Final statements

The undersigned hereby state that the information contained in parts II to IV of this document is true and correct and that the undersigned is aware of the civil and criminal consequences in case of false statement and perjury under Italian law and US law.

The undersigned hereby certifies the absence of grounds for exclusion provided in Part III and that the undersigned holds the requirements set out in Part IV.

The undersigned authorizes the Buyer, indicated in part I, to perform the background check with the competent authorities on the veracity of the statements hereby issued.

The undersigned provides irrevocable consent and accepts without conditions and/or exceptions the terms and conditions contained in the bid invitation letter and in Attachments 1 and 2 to the same letter, which are an integral part thereof.

[Dated and signed]

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

ATTACH COPY OF ID OF EACH SIGNATORY - (Sign before a Notary Public)

State of _____

County of _____

I, the undersigned Notary Public in the State of _____, duly commissioned and qualified, do hereby certify that _____ appeared and signed this instrument before me today and I have verified his identity after having examined his passports.

IN WITNESS WHEREOF I have hereunto set my hand and affixing the seal of the Notary Public, of the State of California, this _____ day of _____, 2022.

Seal and Signature of Notary Public

STATEMENT ON INDIVIDUALS DATA PROTECTION
As per Regulation (EU) 2016/679, art. 13

The processing of personal data is based on the principles of lawfulness, fairness and transparency to protect the fundamental rights and freedoms of individuals. To this end, the following information is provided:

1. The data holder is ICE – Italian Trade Agency (hereinafter only ICE) which operates through the **Office of Los Angeles, 1900 Avenue of the Stars, Suite 350, Los Angeles, CA 90067, e-mail losangeles@ice.it, T+1 (323) 879-0950.**
2. ICE appointed an individual responsible for the protection of personal data that, for customer purposes, can be contacted at the following addresses: ICE – Italian Trade Agency - Via Liszt, 21 - 00144 Rome; e-mail: privacy@ice.it .
3. Personal data are necessary for the vendor selection and awarding process.
4. The transfer of data is mandatory under Italian law and any refusal to provide the requested data will result in exclusion from the selection procedure or the awarding.
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 ICE. By signing this document, vendor provides consent to the transfer of the aforementioned data also to the competent local authorities for their verification and for the publication of the essential elements of the contract stipulated on the buyer's website in accordance under Italian law on the transparency of Italian public contracts.
7. Data shall be kept for a minimum period of 5 years from the moment when the contractual relationship ends due to completion of performance or for any other reason, including termination due to non-compliance. This term may be suspended in the event of a lawsuit.
8. Each vendor may obtain access to its data and apply for amendments. In these cases, vendor must submit a request to the addresses indicated in section 1, sharing such application with ICE data protection manager at the addresses indicated in section 2.
9. If you believe your rights have been violated, you can file a complaint with ICE Data Protection Officer. Alternatively, you can contact the Guarantor for the Protection of Personal Data (Piazza di Monte Citorio 121, 00186 Rome, phone 0039 06 696771 (switchboard), e-mail: garante@gdpd.it, pec: protocollo@pec.gdpd.it) or to the judicial authority.

[Date]

Signature of the interested party for acknowledgment and
acceptance

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