



**Annex 1**

*“Declaration of calculation of provisional  
guarantee reduction”*

**To: Military Pharmaceutical  
Chemical Plant**

Via Reginaldo Giuliani, 201  
50141 – Florence

**Declaration of calculation of provisional guarantee reduction  
pursuant to Articles 19, 19-bis, 38, 46, 47, 48 and 77-bis of Presidential Decree No. 445/2000  
and subsequent amendments and integrations**

**Subject: open procedure, launched pursuant to Articles 71 and 107(3) of Legislative Decree No. 36/2023, conducted electronically, for the award of the “supply of healthcare technologies and consumables, including installation, commissioning, maintenance and technical-practical training of staff for the paediatric hospital in the Odessa Oblast (Ukraine)”**

**Initiative AID 013354/01/0**

The undersigned \_\_\_\_\_  
born on \_\_\_\_\_ in \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_  
in the capacity of \_\_\_\_\_ *(the  
declaration must be made by the legal representative of the tenderer or by a proxy; in the latter case,  
the relevant power of attorney must be produced)* of the company

\_\_\_\_\_ with registered office in \_\_\_\_\_,  
registered in the Companies Register of \_\_\_\_\_ under no. \_\_\_\_\_  
*(for economic operators established in countries other than Italy,  
pursuant to Article 65 of Legislative Decree No. 36/2023, please provide the registration details in  
the Register or Official List of the country of residence)* with tax code no. \_\_\_\_\_  
VAT no. \_\_\_\_\_ Tel. \_\_\_\_\_  
\_\_\_\_\_, hereby, being aware that, in the event of a false declaration, the

penalties provided for in the Criminal Code and in the special laws concerning forgery of documents shall be applied against it, pursuant to Article 76 of Presidential Decree No. 445/2000,

**declares that it is participating in the tender procedure in question for the Lot(s):**

*(tick the relevant box(es))*

☐ **Lot 1**

☐ **Lot 2**

☐ **Lot 3**

☐ **Lot 4**

**as:**

*(tick the relevant box)*

☐ sole tenderer/permanent consortium/ordinary consortium;

☐ group leader of a temporary grouping of companies established/being established with:

\_\_\_\_\_;

☐ group member of a temporary grouping of companies established/being established with:

\_\_\_\_\_;

☐ other \_\_\_\_\_

\_\_\_\_\_.

### **DECLARES**

(pursuant to Articles 46 and 47 of Presidential Decree No. 445/2000, and subsequent amendments and integrations)

that it has provided the provisional guarantee for participation in the call for tenders in question in the form of ... *(specify whether a cash deposit or surety bond)* for the following amounts:

☐ Lot 1 for an amount of € ..... (.....), equal to ..... % of the total contract value, excluding VAT;

- ☐ Lot 2 for an amount of € ..... (.....), equal to ..... % of the total contract value, excluding VAT;
- ☐ Lot 3 for an amount of € ..... (.....), equal to ..... % of the total contract value, excluding VAT;
- ☐ Lot 4 for an amount of € ..... (.....), equal to ..... % of the total contract value, excluding VAT;

as

*(tick the relevant box(es)):*

**A.1)** ☐ it owns quality system certification compliant with the European standards of the UNI CEI ISO 9000 series (e.g. 9001) issued by accredited bodies, in accordance with the European standards of the UNI CEI EN 45000 series and the UNI CEI EN ISO/IEC 17000 series;

**or**

**A.2)** ☐ it is a micro, small or medium-sized enterprise, or a temporary grouping of companies or ordinary consortia comprising exclusively micro, small and medium-sized enterprises;

**B)** ☐ a surety bond has been submitted as a provisional guarantee, digitally issued and signed, managed through platforms operating with distributed ledger technologies in accordance with paragraph 3 of Article 106 of Legislative Decree No. 36/2023 or through online verification on the issuer's website;

**C)** ☐ holds one or more of the certifications or marks identified in Annex II.13 to Legislative Decree No. 36/2023, as listed below *(if applicable, indicate at least one of the certifications or marks):*

---

Date

Signature

\_\_\_\_\_ , \_\_\_\_\_

\_\_\_\_\_

**Please note:**

The reductions provided for in points A.1) and A.2) cannot be combined.

Where the reductions referred to in Article 106(8) of Legislative Decree 36/2023 are combined, the subsequent reduction is calculated on the amount resulting from the previous reduction.

Please note that, pursuant to and for the purposes of Article 106 of Legislative Decree No. 36/2023, the surety bond provided as provisional guarantee:

- must be valid for at least 180 (one hundred and eighty) days from the date set as the deadline for the submission of tenders;
- must become effective within 15 days upon simple written request by the Contracting Authority;
- must expressly waive the right to seek prior enforcement against the principal debtor;
- must provide for a waiver of the objection referred to in Article 1957(2) of the Civil Code.

Please note that, pursuant to Article 106(10) of Legislative Decree 36/2023, the provisional guarantee will be automatically released upon the signing of the contract for the successful tenderer, whilst for the unsuccessful tenderers, it will be released within thirty days of notification of the contract award notice.

#### ONLY IN THE CASE OF JOINT TENDERS

In the case of temporary groupings of companies and ordinary consortia of tenderers, the surety bond must expressly mention all economic operators forming part of the group or consortium.

It should be noted that in the case of participation in a temporary grouping of companies, pursuant to Article 65(2)(e) of Legislative Decree No 36/2023, or in the case of an ordinary consortium of tenderers referred to in Article 65(2)(f) of the Code, the tenderer may benefit from a reduction in the guarantee, even if not all the companies forming the group own the certification, in proportion to the share attributable to each certified company.