



**Annex A to the instructions for tenderers**

*“Template A – Application form and accompanying declarations”*

**To: Military Pharmaceutical Chemical Plant**  
Via Reginaldo Giuliani, 201  
50141 – Florence

**Application for participation and accompanying declarations pursuant to Articles 19, 19-bis, 38, 46, 47, 48 and 77-bis of Presidential Decree No. 445/2000, and subsequent amendments and integrations**

*(to be submitted with a stamp duty in accordance with the provisions of Presidential Decree No. 642/1972)*

**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 tenderer’s legal representative or by a proxy; in the latter case, the relevant power of attorney must be produced)* of the company \_\_\_\_\_ with registered office at \_\_\_\_\_, \_\_\_\_\_ registered in the Companies Register of \_\_\_\_\_ under no. \_\_\_\_\_ *(for economic operators established in countries other than Italy, please provide the registration details in the professional or commercial register of the country of residence)* with tax code no. \_\_\_\_\_ VAT no. \_\_\_\_\_ Tel. \_\_\_\_\_, hereby

**requests to participate in the tender procedure in question as:**

*(tick the relevant box)*

- sole tenderer;
- group leader of a temporary grouping of companies established with:



\_\_\_\_\_ ;

group leader of a temporary grouping of companies being established with

\_\_\_\_\_  
\_\_\_\_\_ ;

group member of a temporary grouping of companies being established with

\_\_\_\_\_  
\_\_\_\_\_ ;

ordinary consortium of tenderers as referred to in Article 65(2)(f) of Legislative Decree No. 36/2023, comprising the following entities:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ ;

a member of an ordinary consortium of tenderers as referred to in Article 65(2)(f) of Legislative Decree No 36/2023;

a consortium of cooperatives or craft enterprises as referred to in Article 65(2)(b) and (c) of Legislative Decree No 36/2023;

*(in this case, tick the relevant box)*

indicating as the executing consortium member the following company:

\_\_\_\_\_  
\_\_\_\_\_

*or*

declaring that it is participating in the procedure on its own behalf;

a member of a consortium of cooperatives or craft enterprises as referred to in Article 65(2)(b) and (c) of Legislative Decree No. 36/2023;

a permanent consortium as referred to in Article 65(2)(d) of Legislative Decree No. 36/2023;

*(in this case, tick the relevant box)*

indicating as the executing consortium member the following company:

\_\_\_\_\_  
\_\_\_\_\_

*or*

declaring that it is participating in the procedure on its own behalf;

a member of a permanent consortium as referred to in Article 65(2)(d) of Legislative Decree No. 36/2023;

other (please specify, e.g. in the case of cooptation):

\_\_\_\_\_  
\_\_\_\_\_

**HEREBY EXPRESSES**

the intention to submit a tender in

*(indicate the Lots for which a tender is being submitted)*

- Lot 1**
- Lot 2**
- Lot 3**
- Lot 4**
- Lot 5**

of the call for tenders in question, launched pursuant to Articles 71 and 107(3) of Legislative Decree No. 36/2023, conducted electronically, aimed at awarding the supply of healthcare technologies and consumables, including installation, commissioning, maintenance and technical-practical training of staff of the paediatric hospital in the Odessa Oblast (Ukraine).

Being aware, pursuant to and for the purposes of Articles 46, 47, 75 and 76 of Presidential Decree No. 445/2000, of the criminal liability to which it may be subject in the event of false declarations, as well as the administrative consequences of exclusion from tender procedures as provided for in Legislative Decree No. 36/2023 and the relevant legislation in force

**DECLARES**

*(to be completed only in case of reliance on the capacities of third entities)*

that it intends to rely on the company \_\_\_\_\_ to satisfy the following criterion/a \_\_\_\_\_

To this end, the following documents are provided:

- ✓ the declaration signed by the third entity whereby it undertakes, vis-à-vis the tenderer and the contracting authority, to make available for the entire duration of the Contract the criteria and necessary resources which the tenderer lacks;
- ✓ the original or a certified copy of the contract under which the third entity undertakes to provide the tenderer the criteria and make available the necessary resources for the entire duration of the contract;

**FURTHER DECLARES**

*(tick the relevant box)*

- that it does not intend to exercise the option to subcontract part of the supplies/services to third entities;



that it intends to exercise, within the limits set out in the applicable regulations, in the instructions for tenderers, and in the draft contract, the right to subcontract the following supplies/services to third entities:

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### NOTIFIES

that the tenderer has elected domicile for all communications referred to in Article 90 of Legislative Decree No. 36/2023 at the following address (*in the case of temporary groupings of companies or consortia, indicate the domicile of the group/consortium leader and/or authorised representative as the elected domicile for communications*):

Street/Square/Other \_\_\_\_\_ No. \_\_\_\_\_  
Town \_\_\_\_\_ County \_\_\_\_\_ Postcode \_\_\_\_\_  
Fax \_\_\_\_\_  
email \_\_\_\_\_  
PEC \_\_\_\_\_

(*for cross-border economic operators*) that the tenderer has designated the following tax domicile \_\_\_\_\_ and the electronic service address \_\_\_\_\_ for qualified certified delivery in accordance with the eIDAS Regulation \_\_\_\_\_

### AUTHORISES

the sending of the communications referred to in paragraph 1 of Article 90 of Legislative Decree No. 36/2023, as well as any other communications that the Military Pharmaceutical Chemical Plant may send to them in the context of the procedure in question, to the contact details indicated above.

### further AUTHORISES

the sending of the communications referred to in Article 90 of Legislative Decree No. 36/2023, as well as any other communications that the Military Pharmaceutical Chemical Plant may send to them in the context of the the procedure in question, via the electronic Platform through which the procedure in question is managed, at which he also elects domicile.

(*where applicable*)

### DECLARES

to participate to the call for tenders in question as an established/being established temporary grouping of companies/consortium/EEIG, in accordance with the following structure:

Company name	Role (group leader / group member)	Type of services and share of performance undertaken by each member




undertaking, in the event of the contract being awarded to it, to grant power of attorney, with power of representation, to the above-mentioned group leader, which shall enter into the contract in its own name and on its own behalf and on behalf of the group members, and to comply with the regulations in force regarding temporary groups of undertakings, consortia or EEIGs pursuant to Article 68 of Legislative Decree No. 36/2023

*(in the case of consortia referred to in Article 65(2)(b), (c) and (d) of the Code)*

**DECLARES**

that the Consortium is participating with the following executing consortium members (*This information must also be provided where the consortium designates another consortium as an executing consortium member. In such cases, that consortium must in turn indicate the executing consortium members, specifying in the table that they are members of the executing consortium*):

Company name	Tax Code	Registered office

**DECLARES**

*(tick the relevant box)*

that the identification details (first name, surname, date and place of birth, tax code, municipality of residence, etc.) of the persons referred to in Article 94(3) of the Code, including the *de facto* director, where applicable, are the following:

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*or*

that the official database or public register from which such information may be obtained, updated as of the date of submission of the tender, is the following:



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**DECLARES**

*(tick the relevant box)*

not to be participating in the same call for tenders simultaneously in different capacities (individually and as part of a consortium; in multiple joint capacities; individually and as an executing member of a consortium)

*or*

to be participating in the same call for tenders in more than one capacity, attaching documentation demonstrating that this circumstance has not affected the tender procedure, nor is it likely to affect the ability to fulfil contractual obligations.

*(where applicable)*

**DECLARES**, furthermore

that it has included in the FVOE or PAD the report setting out the self-cleaning measures adopted in relation to the grounds for exclusion that arose prior to the submission of this application and that it has indicated, in the ESPD, the reference to the aforementioned report;

that it has been unable to adopt self-cleaning measures for the following reasons ... *(state the reasons)* and that it undertakes to adopt appropriate measures and to communicate them promptly and in any event before the award

**ATTACHES** hereto

the electronic receipt for payment of stamp duty or of the bank transfer or, alternatively, indicates the following serial number of the stamp duty ....., providing a copy of the stamp in PDF format, and accepts full responsibility in the event of multiple use of the stamps.

finally **DECLARES**

✓ to accept, without any condition or reservation, all the rules and provisions contained in the tender documentation referred to in paragraph 2.1 of the instructions for tenderers;

✓ to be aware that the submission of the tender implies that the tenderer (as well as any third entity on which the tenderer relies and any consortium members designated as executing) meets all the exclusion and selection criteria referred to in paragraphs 6 and 7 of the Instructions for tenderers and is in compliance with the obligations set out therein and, consequently, that it therefore meets all the exclusion and selection criteria set out in the Instructions for tenderers;

**Please note:** where any of the situations referred to in Articles 94 and 95 applies to the economic operator, a separate declaration and related documentation regarding self-cleaning must be submitted in accordance with the provisions of articles 6 and 15 of the instructions for tenderers and Article 96 of Legislative Decree No. 36/2023.

✓ that the submitted financial offer is deemed to be profitable, as in its formulation the tenderer has acknowledged and taken into account:

a) the contractual conditions and obligations, including any relating to safety, insurance, working conditions, and social security and welfare provisions in force at the place where the supplies/services covered by the contract are to be performed;

b) all general, specific and local circumstances, without exception, which may have influenced or may influence both the supply and the determination of its financial offer, including the foreseeable increase in raw material costs, also in light of recent market trends;

- ✓ that it has examined all the procurement documents published by the contracting authority, including the Instructions for tenderers and the Special Tender Specifications, and considers them adequate and suitable for the correct and informed submission of the tender;
- ✓ that, should it be awarded the contract, it accepts the specific conditions for the performance of the contract;
- ✓ to undertake, should it be awarded the contract, to supply the devices and materials in accordance with the technical specifications set out in the Special Tender Specifications and Annex 1 attached thereto, and to provide the relevant technical documentation for each item upon delivery;
- ✓ to be informed, pursuant to and for the purposes of EU Regulation No. 679/2016 (GDPR), that the personal data collected will be processed, including by electronic means, exclusively within the scope of this call for tenders;
- ✓ to consent to the processing of data via the FVOE and/or the Platform, in accordance with the provisions of Legislative Decree No. 196 of 30 June 2003, for the purposes of verification by the contracting authority of compliance with the criteria set out in Article 99 and for the other purposes provided for by the Code;
- ✓ to be aware of the obligations arising from the Code of Conduct adopted by the contracting authority, available on its website, and to undertake, in the event of the contract being awarded to it, to comply with and ensure that its employees and collaborators comply with, where applicable, the aforementioned code, failing which the Contract shall be terminated;
- ✓ to accept the integrity pact attached to the Instructions for tenderers;
- ✓ *(for economic operators who are non-residents and do not have a permanent establishment in Italy)* to undertake to comply, in the event of being awarded the contract, with the provisions of Articles 17(2) and 53(3) of Presidential Decree No 633/1972 and to notify the contracting authority of the appointment of their tax representative, in accordance with the law;
- ✓ to undertake, in the event of being awarded the contract, to fulfil the obligations regarding the traceability of financial flows pursuant to Law No. 136 of 13 August 2010, as set out in ANAC Decision No. 4 of 7 July 2011, as last updated by Resolution No. 585 of 19 December 2023, including in relation to subcontractors;

- ✓ that the tender documentation and the related information received from the contracting authority allow for the precise implementation of the contract;
- ✓ that the existence and availability on the market of the products to be supplied have been verified, in consideration of the timetable envisaged for the performance of the Contract;
- ✓ that, in formulating its financial offer, they have taken into account any price increases that may occur during the performance of the Contract, waiving in advance any action or objection in this regard;
- ✓ that it has paid the contribution due to the Anti-Corruption Authority pursuant to Article 1, paragraph 65 of Law No. 266 of 23 December 2005, failing which the tender will be deemed inadmissible (for Lots 1, 3, 4 and 5).

Date \_\_\_\_\_

Signature \_\_\_\_\_