

INDIPENDENTI

CENTRO CULTURALE TOR MARANCIA

CONFORSO

CENTRO CULTURALE TOR MARANCIA

ROMA



TEATRO DELL'OPERA
DI ROMA

COMPETITION RULES

Open two-stage
DESIGN COMPETITION
in telematic mode

“Tor Marancia cultural center”



ORDINE DEGLI
ARCHITETTI
PIANIFICATORI
PAESAGGISTI E CONSERVATORI
DI ROMA E PROVINCIA

CNA
PPC

CONSIGLIO NAZIONALE
DEGLI ARCHITETTI
PIANIFICATORI
PAESAGGISTI
E CONSERVATORI

CONFORSO

CENTRO CULTURALE TOR MARANCIA

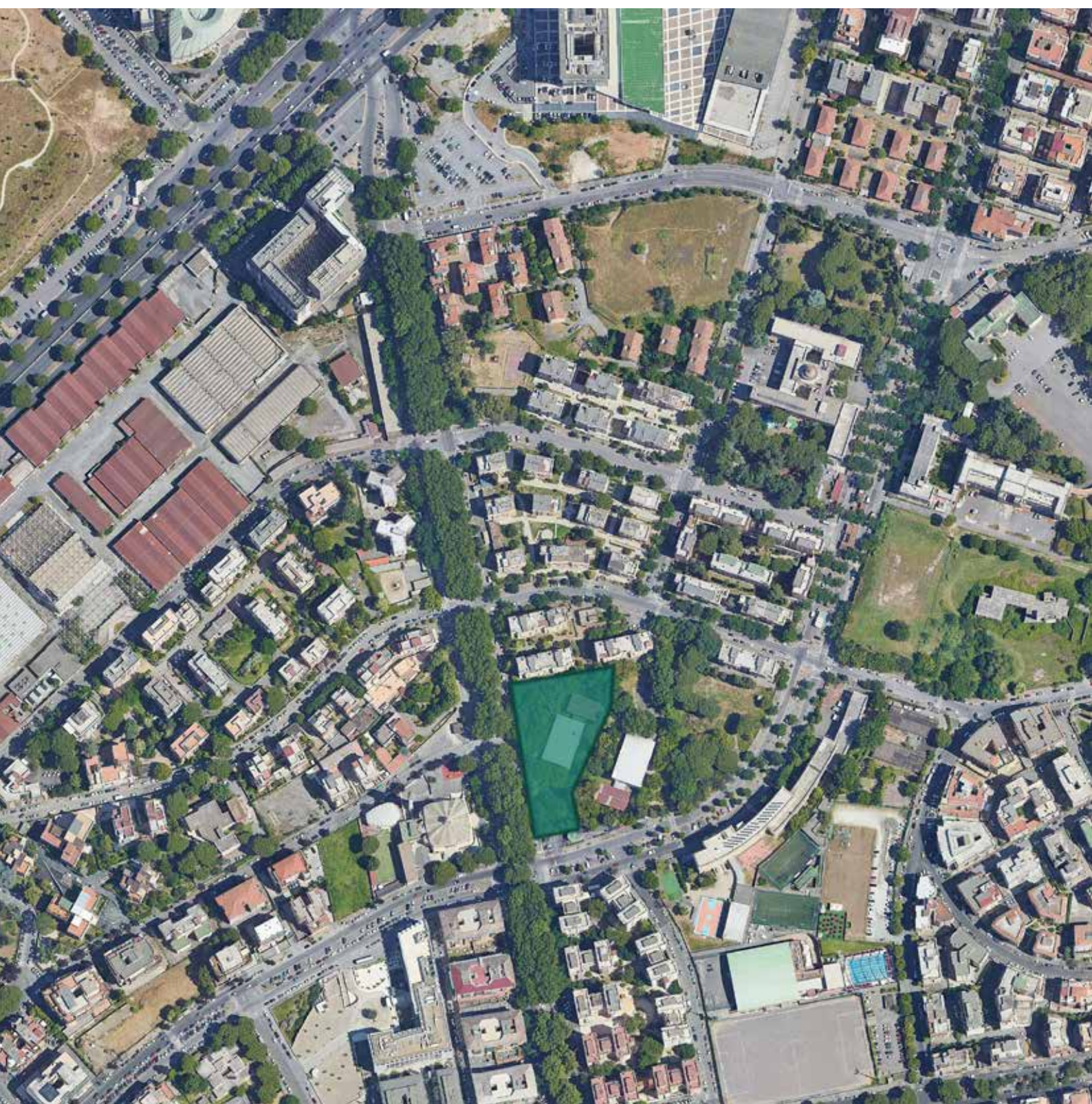


TABLE OF CONTENT

1) GENERAL INFORMATION	PAG. 5	4) STAGE 1 OF THE COMPETITION	PAG. 31
1.1) Contracting authority		4.1) Project documentation required for the stage 1	
1.2) Coordination		4.2) Administrative documentation	
1.3) Type of competition procedure		4.3) Request for further information during Stage 1	
1.4) Object of the Competition		4.4) Submission of project documentation and administrative documentation for Stage 1	
1.5) Estimated cost of work - Estimated contract value		4.5) Selection Board	
2) TIMETABLE AND COMPETITION DOCUMENTATION	PAG. 9	4.6) Assessment procedure and criteria for Stage 1	
2.1) Timetable		4.7) Result of the pre-selection process	
2.2) Competition documentation			
3) REGULATORY REFERENCES TO PROCEDURAL RULES	PAG. 12	5) STAGE 2 OF THE COMPETITION	PAG. 39
3.1) Regulatory references		5.1) Project documentation required for Stage 2	
3.2) Subjects admitted to the competition		5.2) Request for further information during Stage 2	
3.3) General requirements and items of evidence		5.3) Submission of project documentation during Stage 2	
3.3.1) working group		5.4) Duties of the selection board during Stage 2	
3.4) Professional competence requirements		5.5) Assessment procedure and criteria for Stage 2	
Participant requirements		5.6) Prizes	
3.5) Requirements of the working group		5.7) Provisional ranking – verification of the winner’s requirements – Final ranking	
3.5.1) Economic and financial capacity requirements (article 83, paragraph 1, letter b) of the Code)			
3.5.2) Technical and professional capacity requirements (article 83, paragraph 1, letter c) of the Code)		6) FINAL FULFILMENTS	PAG. 46
3.6) Indications for temporary groups, ordinary consortia, network aggregations, EEIG		6.1) Contract assignment	
3.7) Procedure for remedying deficiency		6.2) Publication and exhibition of project proposals	
3.8) Pooling			
3.9) Subcontracting		7) PERSONAL DATA PROCESSING AND JUDICIAL PROTECTION	PAG. 48
3.10) Provisional warranty		7.1) Processing of personal data	
3.11) Inspection		7.2) Publication of the call for proposals	
3.12) Payment of the contribution in favour of ANAC		7.5) Judicial protection	
3.13) Grounds for exclusion and limitations to participation			
3.14) Conditions of participation			
3.15) Use of the IT platform			
3.16) Anonymity			
3.17) Copyright			
3.18) Competition languages and measurement system			
3.19) Registration			

1 GENERAL INFORMATION

1.1) CONTRACTING AUTHORITY

Name: Roma Capitale – Dipartimento Sviluppo Infrastrutture e Manutenzione Urbana - Direzione Urbanizzazioni Secondaria – via Luigi Petroselli, 45 – 00186 Rome – Tax Code 02438750586

1.2) COORDINATION

Sole Responsible for the Procedure (R.U.P.): Arch. Mariangela Tana

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Phone No.: +39 06 67106035

1.3) TYPE OF COMPETITION PROCEDURE

The recourse to the competition procedure launched by Roma Capitale Dipartimento Sviluppo Infrastrutture e Manutenzione Urbana was ordered by Decision to contract out no. QN/1427/2020 of 18/12/2020

The competition will be held by means of an open procedure and anonymously, pursuant to art. 60 of Italian Legislative Decree 50/2016 and subsequent amendments and additions, and will be articulated in two stages, pursuant to art. 154, paragraph 4 of the Code.

In particular:

> Stage 1 (development of project idea):

Participation in Stage 1 is open to all admitted subjects as per point 3.2 in possession of the requirements set out in point 3.4 of these Rules, without prejudice to the grounds for exclusion as per point 3.13.

At this stage, participants shall draw up a creative proposal which, in compliance with the costs, the Competition Program and the required services, allows the Selection Board to choose the best 5 proposals to be admitted to Stage 2, in accordance with the evaluation criteria set out in point 4.6, which shall be selected without merit ranking;

> Stage 2 (project elaboration):

Participation in Stage 2 is reserved to the authors of the 5 best creative proposals, which, developed in respect of the costs, the Competition Program and the required services, will be evaluated by the Selection Board; afterwards, the Selection Board, by applying the evaluation criteria set out in point 5.5, will formulate the ranking list, identifying the winning project proposal.

In order to guarantee anonymity and uniform conditions of participation, only on-line means will be used for competition procedures and relations between the Contracting Authority and the participants, through the following dedicated website: <https://www.concorsiawn.it/tor-marancia>

The system will guarantee anonymity throughout the entire process.

Participants are invited to constantly consult the above web address to check for any further communications relevant to the procedure.

1.4) OBJECT OF THE COMPETITION

The object of this Design Competition is the acquisition, after the completion of the second stage, of a project with a level of detail equal to that of a "Technical and economic feasibility project" with the consequent identification of the winner to whom to entrust the subsequent stages of the final and executive design, if in possession of the requested requirements.

This design competition is aimed at the design of the "Tor Marancia Cultural Center", as a building for cultural production and promotion, which will host on the one hand the Rome Opera House training hub – with the school of dance, choral singing and orchestral training – and on the other a community hub, a center open to citizens meant for educational and social development activities.

In **stage 1**, participants will be asked to provide a proposal of their ideas for the new Tor Marancia Cultural Center, paying particular attention to the insertion of the building within the urban context, the definition of volumes and the distribution within the building of the functional program indicated.

In **stage 2**, the 5 selected participants will be asked to further develop the project, identifying the dimensional, volumetric, functional and technological characteristics of the works to be carried out and the relative economic estimates.

The design guidelines, with a detailed description of the objectives, directives and services required, can be found in the attached Design Guidelines document (DIP), which is an integral part of this Call for Proposals.

The fee to be awarded to the highest ranked proposal for the drafting of the technical and economic feasibility project equals:

€ 32,079.64 plus VAT and social security charges - completion of the technical and economic feasibility Project

This amount is determined according to the Italian Minister of Justice Decree of 17 June 2016, with reference to the drafting of the technical and economic feasibility project (preliminary design), and it includes costs and ancillary charges equal to 25.00%. The total amount of the service, equal to € 54,079.64, has been reduced by € 22,000.00, on account of the amount to be paid as a reimbursement/prize to the participants ranked 2nd to 5th place.

Pursuant to Art. 154 par. 4 of Italian Legislative Decree 50/2016, the final and executive design assignments for the amounts listed below may be entrusted to the winner of the competition, if in possession of the anticipated requirements:

- a. € 155,874.45 plus VAT and social security contributions - Final design
- b. € 130,767.57 plus VAT and social security contributions - Executive design

These amounts are determined according to the Italian Minister of Justice Decree of 17 June 2016, with reference to the final and executive design and have been reduced by 25.00% on account of costs and ancillary charges, as a discount for the Public Administration, in view of the joint assignment of all the design phases to a single economic operator.

For the values of the individual amounts and services requested, please refer to the fee calculation attached to these Competition Rules.

1.5) ESTIMATED COST OF WORK - ESTIMATED CONTRACT VALUE

The estimated cost of the work, including security charges, is € 4,150,000.00, net of VAT.

Since this is a design competition, the estimated value of the design public contract net of VAT to determine the threshold referred to in Art. 35 of the Code is equal to the total value of the prizes and payments, including the estimated value of the public service contract, net of VAT, that could be subsequently awarded.

Therefore, **the value of the contract** is equal to **Euro 361,727.57** (including the CNPAIA contribution, where applicable) plus VAT and includes the fee to be paid to the 1st ranked for the drafting of the technical and economic feasibility project, the final and executive design, the prizes to the projects ranked 2nd to 5th place and the reimbursements for the selection Board. For the details of the amounts, please refer to the economic framework of the design attached to this Competition Rules.

The following table shows the estimated cost of the project broken down into the various categories of works, identified according to the "ID-Works" codes set out in the Italian Ministerial Decree of 17 June 2016 regarding professional fees for Architectural and Engineering Services:

TOR MARANCIA						
Category	Functional purpose	"Work-ID"	Degree of complexity	Correspondence Italian Law 143/1949 Classes and Categories	Percentage Incidence % Incidenza percentuale %	€ Amount
Construction	Library, Cinema, Theatre, Picture Gallery, Cultural Centre, Congress Centre, Auditorium [...]	E 13	1,20	I/d	44 %	1.826.000,00
Structures	Structures or parts of structures in reinforced concrete [...]	S.03	0,95	I/g	28 %	1.162.000,00
Systems	Systems for the distribution of water within buildings [...] Sanitation system - domestic sewage system [...] - fireproof systems and networks	IA.01	0,75	III/a	7 %	290.500,00
Systems	Heating systems - cooling, air conditioning, air treatment - [...] Solar thermal system	IA.02	0,85	III/b	12%	498.000,00
Systems	Electrical systems in general, lighting, telephone, security, fire detection, photovoltaic systems [...]	IA.04	1,30	III/c	9 %	373.500,00

ESTIMATED COST OF OPERATIONS (INCLUDING SECURITY CHARGES)

4.150.000,00

The subdivision into the "ID-Works" indicated in the table is not binding for the development of project proposals and is merely a reference parameter for the identification of special technical-organizational requirements and for the calculation of fees for the professional services required, in application of the Decree pursuant to Art. 24 paragraph 8 of Italian Legislative Decree 50/2016 and

2 TIMETABLE AND COMPETITION DOCUMENTATION

2.1) TIMETABLE

OBJECT

Publication on	08/01/2021
Publication on site www.concorsiawn.it by	11/01/2021
Public session for security key codes generation and concomitant opening of Stage 1, Sole Responsible for the Procedure (R.U.P.)	13/01/2021
Opening of the period for Stage 1 requests for information	18/01/2021
Closing of the period for Stage 1 requests for information by	15/02/2021
Publication of the minutes on requests for information and related answers during Stage 1	22/02/2021
Closing of registrations and concomitant sending of documents and administrative documentation for Stage 1, by 12:00 pm	15/03/2021
Selection Board Sessions	29-30-31/03/2021
Publication of the alphanumeric codes admitted to Stage 2 and simultaneous launch of Stage 2	01/04/2021
Opening of the period for Stage 2 requests for information	06/04/2021
Closing of the period for Stage 2 requests for information, by	26/04/2021
Publication of report on requests for information and related answers during Stage 2, by	30/04/2021
Closing of the period for sending Stage 2 documentation, before 12:00 noon on	31/05/2021
Selection Board Sessions	07-08-09/06/2021
Public session to decrypt admissible documents and draw up provisional ranking	10/06/2021
Public administrative meeting to verify requirements	14-15-16/06/2021
Publication of provisional ranking	21/06/2021

In view of the ongoing health emergency related to the COVID-19 epidemic, competition operations may be carried out remotely, in accordance with the detailed procedures that will be indicated later, if necessary, in order to reduce travel and meetings involving several members of the competition commission or selection board. The public nature of competition sessions will in any case be guaranteed according to modalities that may be subsequently indicated.

2.2) COMPETITION DOCUMENTATION

The Contracting Authority shall provide the following documentation:

> **Administrative competition documentation**

Competition Rules

Published Call for proposals

> **Competition forms**

Administrative forms

European single procurement document (ESPD)

Annex A (Application form);

Annex B (Integrity Protocol);

Technical forms

Facsimile Tables – Stage 1;

Facsimile Tables – Stage 2;

Facsimile Header Explanatory Report - Stage 1;

Facsimile Header Explanatory Report - Stage 2;

Verification Table of the Functional Program – Stage 2

> **Technical documentation of the competition**

Design guidelines

Table with a perimeter of the area object of the competition

Aerial survey, with identification of the area object of the Competition

Topographical survey of the current state (also in dwg format)

Photographic documentation

Participation document

Report on the vegetational characteristics of the area

Regional Geo-referenced Technical Map, with identification of the area object of the Competition

> **Excerpts of Current Town Planning Regulations**

Compulsory documents of the General Regulatory Plan:

Technical Standards of Implementation

Systems and Rules 1:10,000 scale Sheet 17

Operational Documents of the General Regulatory Plan:

G1. Quality Charter 1:10,000 scale Sheet 17

G2. Guidelines for Quality Intervention, paragraph 4f

G8. Urban planning standards 1:10,000 scale Sheet 17

> **Other documentation**

Decision to contract out

Contract scheme for the assignment

QE (variable fee covering the costs of provisioning) of the Design

QE amount of work and expenditure limit

Calculation of professional fee

The above documentation is published in a **dedicated section of the competition website at <https://www.concorsiawn.it/tor-marancia>** from where it can be **downloaded**.

3 REGULATORY REFERENCES TO PROCEDURAL RULES

3.1) REGULATORY REFERENCES

The following table shows the regulatory references:

National:

- > Italian Legislative Decree 18th April 2016, no. 50 and subsequent amendments and additions (hereinafter: Code) - Art. 154 paragraph 4);
- > Italian Ministerial Decree (Ministry of Justice) of 17 June 2016.

Guidelines – ANAC guidelines:

- > ANAC Guidelines No. 1 on Architecture and Engineering Services, implementing Italian Legislative Decree no. 50/2016, as amended by Legislative Decree no. 56/2017 – ANAC Decision no. 973 of 14 September 2016 and no.138 of 21 February 2018 (hereinafter: Guidelines no. 1);

The specific legal basis for the conduct of the competition in question is composed of the following documentation:

1. these rules and all attached documents;
2. the Minutes of the requests for information and related answers (Stage 1);
3. the Minutes of the requests for information and related answers (Stage 2);
4. Other Notices.

3.2) SUBJECTS ADMITTED TO THE COMPETITION

Economic operators may participate in this competition either individually or in association with others, in accordance with the provisions of Art. 46 of the Code, provided they meet the requirements set out in the next articles. In particular, the following operators are admitted to participate:

1. individual or associated self-employed professionals in the forms recognized by the current regulatory framework;
2. professional enterprises;
3. engineering companies;
4. providers of engineering and architectural services identified by CPV codes 74200000-1 to 74276400-8 and 74310000-5 to 74323100-0 and 74874000-6 - and subsequent updates - established in other Member States, in accordance with the legislation in force in the respective countries; (the CPVs mentioned above refer to Regulation (EC) No. 2195/2002; the correct CPVs are: 7120000000-0 to 71541000-2 and 71610000-7 to 71730000-4 and 79994000-8, in accordance with Regulation (EC) No 213/2008 of 28 Nov. 2007);
5. temporary groups or ordinary consortia formed by the entities referred

to in points (a) to (h) of this list;

6. permanent consortia of professionals and of engineering companies, also in mixed form (hereinafter also permanent consortia of companies) and EEIGs;
7. permanent consortia of professionals pursuant to Article 12 of Italian Law 81/2017;
8. clusters of the economic operators referred to in points a), b), c) and d) parties to the network contract (network of businesses, network of professionals or mixed network pursuant to Article 12 of Italian Law 81/2017) to which the provisions of Article 48 apply *mutatis mutandis*.

The participation of the entities referred to in letter e) above is permitted even if not yet established.

In the case of Participants not established in Italy, the documentation must be produced in a suitable equivalent manner according to the legislation of the State to which they belong; Articles 83, paragraph 3, 86 and 90 of the Code shall apply.

The provisions of Articles 47 and 48 of the Code shall apply to entities constituted in an associated form.

Participants are not allowed to participate in the competition in more than one temporary group or ordinary consortium of participants or group of operators adhering to the network contract.

A participant who participates in the competition in a group or ordinary consortium is not allowed to also participate on an individual basis.

A participant who participates in the competition in a network aggregation is not allowed to also participate on an individual basis. Economic operators being part of a network and not participating in the competition may submit a proposal, in the framework of the same competition, either individually or in association with others.

The permanent consortia referred to in points (f) and (g) above are required to indicate, when bidding, for which consortium members they are participating; the latter are forbidden to participate in this competition in any other form. In the event of infringement of the above, both the consortium and the consortium member are excluded from the competition; in the event of non-compliance with this prohibition, Article 353 of the Italian Criminal Code shall apply.

In the case of permanent consortia, the consortium members designated by the consortium for the execution of the contract may not, in turn, indicate another party for the execution. If the designated consortium member is, in turn, a stable consortium, the latter shall indicate the executing consortium member in the competition.

Network aggregations (network of businesses, network of professionals or mixed network) shall abide by the same rules applying to temporary groups,

as compatible. In particular, reference should be made to Italian Law-decree No. 5 of 10 February 2009, and ANAC decision No. 3 of 23 April 2013.

For all types of networks, the joint participation in tenders must be indicated in the network contract as one of the strategic objectives included in the common program, while its duration must be commensurate with the necessary time for the contract to be performed.

Pursuant to Art. 24, paragraph 7 of the Code, the successful participant of the services object of this competition may not participate in public works contracts, as well as in any subcontracts or piecework deriving from the project activity carried out. In the same contracts, sub-contracts and piecework contracts, no person controlled by, controlling or connected to the successful participant may participate. The situations of control and connection are determined with reference to the provisions of Art. 2359 of the Italian Civil Code. These prohibitions are extended to the employees of the successful participant, its collaborators in the performance of the assignment and their employees, as well as to the mandated parties for project support activities and their employees. These prohibitions do not apply where the persons indicated therein demonstrate that the experience acquired in carrying out project assignments is not such as to give rise to an advantage that could distort competition with other operators.

3.3) GENERAL REQUIREMENTS AND ITEMS OF EVIDENCE

Economic operators for whom there are grounds for exclusion under Article 80 of the Code are excluded from the competition.

In any case, operators who have entrusted tasks in violation of Article 53, paragraph 16-ter, of Italian Legislative Decree no. 165 of 2001 are excluded.

Likewise, operators for whom there are grounds for prohibition, forfeiture or suspension pursuant to Article 67 of Italian Legislative Decree no. 159 of 6 September, 2011 shall also be excluded from the competition;

Finally, the non-acceptance of the clauses contained in Roma Capitale's Integrity Protocol constitutes ground for exclusion from the competition, pursuant to Article 1, paragraph 17 of Italian Law no. 190 of 6 November 2012.

Under penalty of exclusion, participants must meet the requirements set forth in these competition rules.

The documentation required from all operators for the purposes of proving their compliance with the requirements of this paragraph must be sent via AVCPass, in accordance with ANAC resolution no. 157 of 17 February 2016 (pursuant to Articles 81, paragraphs 1 and 2, and 216, paragraph 13 of the Code, contracting authorities and operators shall use the AVCPass database set up at ANAC to prove their requirements).

Pursuant to Article 46(2) of the Code, for a period of five years from their

establishment, companies may document their economic, financial, technical and professional requirements in the following ways:

- partnerships or cooperatives through the requirements of their members;
- capital companies through the requirements of their members, as well as technical directors or professionals with a permanent contract.

3.4) PROFESSIONAL COMPETENCE REQUIREMENTS

PARTICIPANT REQUIREMENTS

Requirements under Italian Ministerial Decree 263/2016.

- > (for professionals) At the time of participation in the competition, all professionals must be enrolled in the relevant professional register provided for by the current regulations, or be authorized to practice their profession according to the rules of the EU countries to which they belong.

Participants not established in Italy but in another Member State or in one of the countries referred to in art. 83, paragraph 3 of the Code, shall submit a sworn declaration or a declaration in accordance with the procedures in force in the country where they are established, and shall upload the respective evidence documentation onto the AVCpass system.

- > (for all types of companies and consortia) Registration in the register held by the Chamber of Commerce for Industry, Crafts and Agriculture for activities consistent with those covered by this competition procedure.

Participants not established in Italy but in another Member State or in one of the countries referred to in art. 83, paragraph 3 of the Code, shall submit a business register, a sworn declaration or a declaration in accordance with the procedures in force in the country where they are established.

The participation of junior architects and junior engineers is allowed within the limits of the provisions of Art. 15 et seq. (for architects) and Art. 45 et seq. (for engineers) of Italian Presidential Decree 328/2001 as amended and supplemented.

Pursuant to Article 83(3) of the Code, participants from other Member States who are not resident in Italy must declare their registration in one of the professional or commercial registers listed in Annex XVI of the Code.

In order to prove the requirements listed above, the Contracting Authority will automatically acquire the documents possessed by public administrations, subject to prior indication by the Participant of the elements needed to find the requested information or data.

3.5) REQUIREMENTS OF THE WORKING GROUP

In order to prove compliance with the requirements set out in this paragraph which are necessary to carry out the design of the technical and economic feasibility project and assign the subsequent design stages, the winner of the competition can make recourse to the capacities of other entities, as indicated below, and pursuant to Article 152, paragraph 5 of the Code, may also constitute a temporary group between the subjects referred to in paragraph 1 of Article 46 of the Code, or modify a group already proposed for participation in the competition with other subjects, provided that in both cases these subjects have not already participated in the Competition.

For the professional performing the services under the contract

Enrollment in the appropriate professional association/council/register of the person responsible for the assignment in order to perform the activity constituting the subject of the contract.

For the professional coordinating safety and security in the design phase

Requirements under art. 98 of Italian Legislative Decree 81/2008.

For the geologist who drafts the geological report

Enrollment in the appropriate association/register/council as provided for by the legislation of the participant's country of origin.

Note: since subcontracting is not allowed for the geological report, the presence of a geologist in one of the forms of participation indicated below is required before the project can be assigned to the winner:

- member of a temporary group;
- member of an association of professionals;
- partner/administrator/technical director of a professional partnership or engineering company
- employee or collaborator with a coordinated and continuous collaboration contract on an annual basis, or consultant, registered in the professional register and in possession of a VAT identification number, who has invoiced more than 50% of his/her annual turnover to the participant, as shown in the last VAT return, in the cases indicated by Italian Ministerial Decree no. 263 of 2 December 2016.

For fire-fighting professionals

- > registration in the list of the Ministry of the Interior pursuant to art. 16 of Italian legislative decree 139 of 8 March 2006 as fire-fighting professionals.

3.5.1) ECONOMIC AND FINANCIAL CAPACITY REQUIREMENTS (ARTICLE 83, PARAGRAPH 1, LETTER B) OF THE CODE)

The winner of the competition must be able to prove an appropriate level of insurance coverage against professional risks, in line with the provisions of Art. 83 paragraph 4, letter c) of the Code.

In particular, together with the competition documentation, the winner must submit a copy (even in the form of a self-certification, in accordance with Art.19 of Italian Presidential Decree 445/2000) of his/her professional policy with a maximum insurable amount of **€ 415.000,00** or higher.

3.5.2) TECHNICAL AND PROFESSIONAL CAPACITY REQUIREMENTS (ARTICLE 83, PARAGRAPH 1, LETTER C) OF THE CODE)

Submission of a list of engineering and architectural services provided in the last 10 years preceding the date of publication of the Call for proposals and relating to operations in each of the categories and IDs indicated in the table below, the total amount of which, for each category and ID, must be at least equal to 1.8 times the estimated amount of work in the respective category and ID. The minimum amounts of work, by category and ID, are shown in the following table.

TOR MARANCIA CULTURAL CENTER						Requirements
Category	Functional purpose	"Work-ID"	Degree of complexity	Correspondence Italian Law 143/1949 Classes and Categories	Amount	Minimum total amount for the list of services (1.8 times the value of the works)
Construction	Library, Cinema, Theater, Cultural Center, Conference Center, Auditorium [...]	E 13	1,2	I/d	1.826.000,00	3.286.800,00
Structure	Structures or parts of structures in reinforced concrete [...]	S.03	0,95	I/g	1.162.000,00	2.091.600,00
Systems	Systems for the distribution of water within buildings [...] Sanitation system -domestic sewage system [...] - fireproof systems and networks	IA.01	0,75	III/a	290.500,00	522.900,00
Systems	Heating systems -cooling, air conditioning, air treatment - [...] Solar thermal system	IA.02	0,85	III/b	498.000,00	896.400,00
Systems	Electrical systems in general, lighting, telephone, security, fire detection, photovoltaic systems [...]	IA.04	1,3	III/c	373.500,00	672.300,00

Table - Categories, IDs and minimum cost of operations for the list of services

Presentation of "top" engineering and architectural services, carried out in the last ten years prior to the date of publication of the Call for proposals, with the following characteristics: for each of the

categories and IDs in the following table, the operator must have performed 2 services for works similar to those covered by the contract, in terms of size and technical characteristics, for a total amount, for each category and ID, at least equal to 0.8 its value.

Instead of the 2 services, the operator can also prove his/her fulfillment of the requirement by means of a single service, provided that the amount is at least equal to the minimum amount required in the relevant category and ID.

The minimum amounts of works, listed by category and ID, are shown in the following table:

TOR MARANCIA CULTURAL CENTER						Requirements
Category	Functional purpose	"Work-ID"	Degree of complexity	Correspondence Italian Law 143/1949 Classes and Categories	Amount	Minimum total amount for the list of services (1.8 times the value of the works)
Construction	Library, Cinema, Theater, Cultural Center, Conference Center, Auditorium [...]	E 13	1,2	I/d	1.826.000,00	1.460.800,00
Structure	Structures or parts of structures in reinforced concrete [...]	S.03	0,95	I/g	1.162.000,00	929.600,00
Systems	Systems for the distribution of water within buildings [...] Sanitation system -domestic sewage system [...] - fireproof systems and networks	IA.01	0,75	III/a	290.500,00	232.400,00
Systems	Heating systems -cooling, air conditioning, air treatment - [...] Solar thermal system	IA.02	0,85	III/b	498.000,00	398.400,00
Systems	Electrical systems in general, lighting, telephone, security, fire detection, photovoltaic systems [...]	IA.04	1,3	III/c	373.500,00	298.800,00

Table - Categories, IDs and minimum amounts of operations for top services.

With regard to the above technical and professional capacity requirements, participants must provide evidence hereof by submitting a list of services carried out over the last ten years in relation to each category, showing the respective amounts of the works involved. This list shall be accompanied by certificates of proper performance and satisfactory completion of the most important services.

As regards the categories E.13 and S.03, for the purposes of qualification within the same category, the operations performed for works similar to those covered by the services to be entrusted, although not necessarily of identical functional destination, are to be considered suitable to prove the requirements when the degree of complexity is at least equal to that of the services to be entrusted.

For the remaining categories relating to installations (IA.01 – IA.02 – IA.04) for the purpose of assessing the requirement, only the activities carried out for the above categories are valid.

For Participants established in other countries of the European Union, the services relating to the "WORK ID" are to be understood as being equivalent to those indicated in this Call for proposals on the basis of the regulations in force in the respective countries.

Services carried out in the last ten years are any services started and completed as well as services whose design projects have been approved in the 10 years preceding the date of publication of the call for proposals published in the OJEU or the part of these services that has been completed and approved in the same period in the case of services that were begun before this time frame. Failure to complete the execution of the works in question is not relevant to the purposes of assessing the approved project.

Proof of the requirements is provided, pursuant to Article 86(4) and attach. XVII part I of the Code, by means of: certificates issued and stamped by public clients or declarations by private parties attesting the regular execution of the services listed above, with indication of the respective amounts and dates.

It should be noted that, if the requirements possessed exceed those indicated above, it is sufficient to prove possession of the minimum requirements.

These requirements are to be understood as referring to services (relating to the works belonging to each of the "ID-Works" to which the services to be entrusted refer) carried out personally and directly by the Participant for both public and private subjects.

In the case of services carried out in partnership with other parties, the share of the amount of the work relative to the percentage to which the service can be attributed to the Participant must be calculated in order to prove compliance with the requirements.

Once the winner has been proclaimed, the contracting authority must obligatorily verify the former's possession of the necessary requirements, as referred to in this point.

For all other Participants included in the list of recipients of the prizes, a verification of the requirements of general ability and professional suitability will be obligatorily carried out.

The verification of the possession of the general capacity requirements will take place, in accordance with articles 81 and 216, paragraph 13, of the Code, through the use of the AVCpass system, made available by ANAC, in the manner set forth in resolution no. 157/2016 as well as by means of the following systems: on line DURC (statement of correct fulfillment of welfare contribution obligations) and National Antimafia Database (B.D.N.A.).

In order to verify the possession of the economic-financial requirement, as well as his/her technical and professional capacity requirements, the winner will be asked to produce the necessary documentation to prove it.

For Companies not established in Italy, the Participant will be requested to produce the documentation proving all the requirements indicated in this point.

3.6) INDICATIONS FOR TEMPORARY GROUPS, ORDINARY CONSORTIA, NETWORK AGGREGATIONS, EEIG

Note: in temporary groups, the agent must, in any case, meet the requirements and perform the services in a larger proportion pursuant to art. 83, paragraph 8 of the Code.

Pursuant to art. 48, paragraph 2 of the Code, the agent of a vertical temporary group shall perform the services indicated as main services, also in financial terms, while the principals execute those indicated as secondary.

Operators who present themselves in an associated form must meet the participation requirements in the terms indicated below.

Network aggregations, ordinary consortia and EEIGs are subject to the rules provided for temporary groups, *mutatis mutandis*. In ordinary consortia, the consortium member that assumes the largest share of activities plays the role of lead partner, which shall be comparable to that of Agent.

In the event that the Principal/Agent of a temporary group is a stable consortium or a sub-association, in the form of an established group or network aggregation, the relevant participation requirements shall be met in the same way as for groups.

The requirements of **Italian Ministerial Decree 263/2016** must be met by each associated operator, according to its type.

For temporary groups, the presence of at least one young professional in the role of designer, in accordance with art. 4 of Italian Ministerial Decree 263/2016, is a necessary condition for participation.

The requirement for registration in the business register kept by the Chamber of Commerce, Industry, Crafts and Agriculture must be met by:

- each of the grouped or future grouped companies, consortia or future consortia or EEIG;
- each of the economic operators participating in the network contract and indicated as executors, and the network itself, if it is a legal entity.

The requirement relating to registration in the Register must be held by the professionals who are in charge of the execution of the services covered by the contract.

The requirement for registration in the Register of Geologists applies to professionals who are indicated as being in charge of the geological report in the working group.

The requirement relating to registration in the list of the Ministry of the Interior pursuant to art.16 of Italian Legislative Decree 139 of 8 March 2006 as a fire-fighting professional applies to professionals who, in the working group, are indicated as being in charge of the relevant service.

The requirement set forth in art. 98 of Italian Legislative Decree 81/2008 for the activity of Safety Coordinator during the planning stage shall be held by professionals who are indicated in the working group as being in charge of this service.

The requirement for insurance cover against professional risks referred to in point 3.5.1) shall be met by the group as a whole, according to one of the following options:

- a) sum of the coverage ceilings of each operator of the group; in any case, each member of the group must have a ceiling proportional to the amount of the services he or she performs;
- b) one single policy of the Agent for the coverage cup indicated, with coverage extended to all the operators of the group.

In the event of a temporary **horizontal** group, the requirement of the list of services must be possessed by the group as a whole, both by the Agent, to a larger extent, and by the Principals.

In the event of a temporary **vertical** group, each member must meet the requirement of the list of services in relation to the services he/she intends to perform, it being understood that the Agent must meet the requirement relating to the main service.

The requirement for the two top-level services must be met by the temporary **horizontal** group as a whole, it being understood that the Agent must meet the requirement for the majority of the services.

The requirement for the two top services for each single category and ID must be held by a single entity in the group, as it is not divisible.

In the case of a temporary **vertical** group, each component must meet the requirement of the two top services in relation to the services it intends to perform, it being understood that the Agent must meet the requirement relating to the main service.

Information for permanent consortia

Permanent consortia must meet the participation requirements as set out below.

The requirements of **Italian Ministerial Decree 263/2016** must be met by:

- in the case of consortia of professional partnerships and engineering companies, by the consortia members as indicated in art. 5 of the aforementioned decree.

- in the case of consortia of independent professionals, by the consortia members as indicated in art. 1 of the abovementioned decree.

The requirement for registration in the register kept by the Chamber of Commerce, Industry, Crafts and Agriculture must be met by the consortium and by the member companies listed as executors.

The requirement relating to registration in the Register must be held by the professionals who are in charge of the execution of the services covered by the contract.

The requirement for registration in the Register of Geologists applies to professionals who are indicated as being in charge of the geological report in the working group.

The requirement relating to registration on the list of the Ministry of the Interior pursuant to art.16 of Italian Legislative Decree 139 of 8 March 2006 as a fire-fighting professional applies to professionals who, in the working group, are indicated as being in charge of the relevant service.

The requirement set forth in art. 98 of Italian Legislative Decree 81/2008 for the activity of Safety Coordinator during the planning stage shall be held by professionals who are indicated in the working group as being in charge of this service.

The requirements of economic and financial as well as technical and professional capacity, pursuant to art. 47 of the Code, must be possessed by the consortium, which may use, in addition to its own requirements, those of the other executing consortium members and, through pooling, those of other consortium members that do not perform the services in question; these requirements shall then be calculated cumulatively for the consortium.

3.7) PROCEDURE FOR REMEDYING DEFICIENCY

Any shortcomings regarding any formal element of the application, and in particular, the lack, incompleteness or other essential irregularity of the elements included in it or of the ESPD, with the exclusion of those relating to the documents submitted in 1st and 2nd instance, can be remedied through the preliminary assistance procedure referred to in Article 83, paragraph 9 of the Code.

An essential irregularity can be remedied if it is not accompanied by a substantial deficiency in the requirement for which the omitted or irregularly produced documentation was submitted. The subsequent correction or integration of documents is permitted only if it proves the existence of pre-existing circumstances, i.e. requirements for participation and documents/elements accompanying the proposal. In particular, the following rules apply:

- failure to comply with the prescribed participation requirements cannot be remedied by means of preliminary assistance and is a **cause for exclusion** from the competition procedure;

- the omitted, incomplete or irregular submission of the declarations regarding the possession of the participation requirements and any other lack, incompleteness or irregularity in the ESPD and in the application, including the lack of signature, may be remedied, with the exception of false declarations;
- failure to submit elements supporting the proposal (e.g. provisional warranty and guarantor's commitment) or conditions of participation, both of which are relevant during the competition process, are only remedied if they are pre-existing and can be proved with documents of a certain date, prior to the deadline for submission of the offer;
- failure to submit declarations and/or elements accompanying the offer, which are relevant in the execution stage (e.g. declaration of the parties involved in the service pursuant to art. 48, paragraph 4 of the Code) can be remedied.

For the purposes of the regularization measure, the contracting authority shall grant the participant a reasonable period - not exceeding ten days - to produce, supplement or regularize the necessary declarations, specifying their content and the persons who must make them.

Should the participant produce statements or documents that are not perfectly consistent with the request, the contracting authority may request further specifications or clarifications, setting a peremptory deadline under penalty of exclusion.

In the event of unnecessary expiry of the deadline, the contracting authority shall exclude the participant from the procedure.

Outside the scope of the cases referred to in article 83, paragraph 9, of the Code, the contracting authority is entitled to invite participants, if necessary, to provide clarifications regarding the content of the certificates, documents and declarations submitted.

3.8) POOLING

Pursuant to Art. 89 of Italian Legislative Decree 50/2016 and subsequent amendments and additions, the winner of the competition, whether an individual or in a group, may satisfy the requirement of meeting the economic, financial, technical and professional requirements needed to provide the services in question by using the skills of other parties participating in the group.

However, reliance on other entities is not allowed to prove moral requirements, professional suitability or technical/professional requirements of a strictly subjective nature [e.g.: registration with the Order/Professional Guild (for professionals) or with the Chamber of Commerce (for engineering companies or professional partnerships)].

The auxiliary company must meet the requirements of art.80 of the Code by submitting his/her own duly compiled ESPD.

In case of pooling, the winner of the competition shall produce:

- the auxiliary company's ESPD containing the declarations referred to in Part II, Sections A and B, Part III and Part VI.
- the pooling declaration, drafted and signed by the auxiliary's legal representative or attorney, by which the auxiliary company:
 - commits, towards the participant and the Contracting Authority, to making the necessary resources which the participant lacks available to the latter for the entire duration of the contract;
 - certifies that it will not participate in the competition on its own or as an Associate or Consortium member.
- a pooling contract (signed by the participant and the auxiliary company), under which the auxiliary undertakes to provide the participant with the requirements and make the necessary resources available, which must be duly described in detail, for the entire duration of the contract. To this end, the pooling contract must contain, under penalty of nullity, pursuant to art. 89, paragraph 1, of the Code, the specification of the requirements provided to the participant as well as of the resources made available by the auxiliary;

If the contracting authority should ascertain that the necessary conditions have not been met, it shall require the participant to replace the subjects who do not meet one or several relevant selection criteria or for whom there are mandatory grounds for exclusion.

The participant and the auxiliary company are jointly and severally liable to the contracting authority regarding the services covered by the contract.

The use of several auxiliary companies is permitted. However, the auxiliary may not in its turn avail itself of any other company.

Pursuant to art. 89, paragraph 7 of the Code and under penalty of exclusion, it is not permitted for one auxiliary company to provide assistance for more than one participant nor for both the auxiliary and the participant who meets the requirements to take part in the same competition.

In case of false declarations, the participant shall be excluded from the competition, without prejudice to the application of art. 80, paragraph 12 of the Code.

With the exception of cases in which there are false declarations, if there are mandatory grounds for exclusion of an auxiliary company or if the auxiliary company does not meet the relevant selection criteria, the contracting authority shall require the participant to replace the auxiliary company in question, pursuant to art. 89, paragraph 3 of the Code.

If at any stage of the competition process it proves necessary to replace

the auxiliary company, the committee shall notify the RUP of this necessity, and the latter shall send a written request to the participant prompting him/her to replace the auxiliary company within a reasonable time frame from receipt of the request. Within the established deadline, the participant must produce the documents and declarations of the newly appointed auxiliary company replacing the previous one. In the event of unnecessary expiry of the deadline, or in the event of failure to request an extension, the contracting authority shall exclude the participant in question from the procedure.

Failure to produce the auxiliary company's declarations or the pooling contract may be remedied by means of the procedure for remedying deficiency, provided that the above are pre-existing and can be proven by means of documents of a precise and ascertainable date issued prior to the deadline for submission of the offer.

However, failure to indicate the requirements and the resources made available by the auxiliary company are cause of nullity of the pooling contract and cannot therefore be remedied. These conditions are reason for exclusion from the competition procedure.

3.9) SUBCONTRACTING

Subcontracting is not permitted, with the exception of the activities indicated in Article 31, paragraph 8 of the Code. Without prejudice to the above prohibition, in case of subcontracting, the winner of the competition must indicate, in the documentation he/she presented before the assignment of the service, which parts of the service he/she intends to subcontract within the maximum limit of 40% of the total amount of the contract, in accordance with the provisions of art. 105 of the Code. In the absence of these specifications, subcontracting is prohibited.

If the conditions set forth in art. 105 of the Code are met, the Contracting Authority shall issue the authorization for subcontracting.

Subcontracting is not allowed for the geological report.

In view of the above, if the participant does not meet the requirement of being registered in the Register of Geologists, he/she must necessarily participate in the competition in a group with a professional geologist authorized to carry out the assignment, before the assignment is awarded and after the competition procedure.

3.10) PROVISIONAL WARRANTY

Since the contract exclusively includes design services and services relating to the drafting of the safety plan and coordination services, the provisional warranty and the guarantor's commitment to issue the surety guarantee for the execution of the contract pursuant to art. 103 of the Code do not apply, pursuant to art. 93, paragraph 10 of the Code.

3.11) INSPECTION

For the purposes of this procedure, no inspection is required.

3.12) PAYMENT OF THE CONTRIBUTION IN FAVOUR OF ANAC

Under penalty of exclusion, competitors shall pay the fee envisaged in favour of the Authority pursuant to Article 1, paragraphs 65 and 67 of Italian Law 266/2005 and as last established by resolution no. 1197 of 18 December 2019, in the amount of Euro 35.00 (thirty-five/00 euros), following the instructions available on the website of A.N.AC, pursuant to Article 19 of Legislative Decree no. 90/2014 as well as resolution no. 1197/2019 of the President of A.N.AC.

As proof of payment of the fee to A.N.AC., the participant, through the "TuttoGare" IT platform, shall send the following to Centrale Unica Appalti – Direzione Lavori Pubblici:

- a) in the event of an online payment by credit card belonging to the Visa, MasterCard, Diners or American Express circuits, a copy of the receipt, issued by the "collection system", of the payment of the fee;
- b) in the event of payment in cash – by means of the payment form issued by the Collection Service and through the tobacconists' network stores – a copy of the receipt issued by the store accompanied by a declaration of conformity to the original pursuant to Italian Presidential Decree no. 445/2000, digitally signed by the legal representative with the powers necessary to bind the competitor in this procedure;
- c) in the event of payment by international bank transfer by a foreign economic operator, a copy of the bank transfer receipt accompanied by a declaration of authenticity, digitally signed by the legal representative with the powers necessary to bind the competitor in this procedure.

In the event of failure to produce the receipt, the awarding authority will ascertain the payment by consulting the AVCpass system.

Should the payment not be recorded in the system, failure to submit the receipt may be remedied in accordance with Article 83, paragraph 9 of the Code, providing the payment has already been made before the deadline for submission of the offer.

In the event of failure to provide proof of payment, the contracting authority will exclude the competitor from the tender procedure pursuant to Article 1, paragraph 67 of Italian Law no. 266/2005.

3.13) GROUNDS FOR EXCLUSION AND LIMITATIONS TO PARTICIPATION

Participants with the following characteristics are **excluded** from the competition:

- causes of exclusion as per art. 80 of the Code;
- prohibitions to negotiate with the public administration.

Also excluded from participation in the Competition are all subjects who could be favored due to their provision of preliminary services for the purposes of the Competition and/or their involvement in the drafting of the Competition Rules and/or in the implementation of the Competition and/or who could in any way influence the decisions of the selection board.

In particular, the above conditions apply to the following entities:

- a) the RUP, the RUP's support staff, the members of the technical coordination secretariat, the members of the selection board;
- b) the spouses, relatives and relatives-in-law of the persons referred to in point (a);
- c) the usual business and project partners of the persons referred to in point (a);
- d) direct superiors and employees of the persons referred to in point (a);
- e) the Contracting Authority's employees.

Subjects who have had or have a continuous or known relationship of collaboration with the organiser can participate only if they are not directly involved in the drafting of the Competition subject matter.

Participants are prohibited from taking part in the Competition in more than one temporary group or ordinary consortium of participants, or from taking part in the competition even individually if they have participated in the same Competition in a group or ordinary consortium of participants. Breach of this prohibition shall result in the exclusion from the Competition of all participants involved.

The same prohibition applies to freelance professionals, if a professional partnership or engineering company of which the professional is a director, partner, employee, consultant or project collaborator (former Co.co.co.) participates in the Competition in any form. Violation of these prohibitions will result in the exclusion from the Competition of all participants involved.

Participants and members of the selection board are not allowed to have any contact with each other regarding the object of the competition for the entire duration of the competition process, under penalty of exclusion.

3.14) CONDITIONS OF PARTICIPATION

Participation in the competition implies the unreserved acceptance of all the provisions contained in these Competition Rules and in the Competition documentation.

For what is not expressly provided for in these Rules, reference shall be made to Italian Legislative Decree no. 50/2016 as amended and supplemented and, in any case, to the rules contained in the relevant legislation. The parties taking part in the procedure expressly exonerate the contracting authority and its employees and collaborators from any liability relating to any malfunctioning or defect in the connectivity services needed to reach the IT system for the submission of project proposals and all related documentation through the public telecommunications network.

In light of the appropriate time frame established for participants to perform the registration procedure and adopt suitable and sufficient technological measures, the contracting authority declines all liability for the participants' failure to access the IT system and/or for failure to activate the telematic procedure within the established deadline, deriving from technical difficulties that participants and/or the system may experience, and which do not depend on the will of the contracting authority, such as, by way of example, difficulties in connecting to the system deriving from the participant's use of unsuitable or inappropriate computer systems, temporary congestion of the Internet network and/or the connection to the competition's IT system.

The technical assistance provided can only operate while registrations are still open. Requests for assistance that arrive after the end of the registration deadline cannot be handled.

Participants are invited to anticipate the activation of the procedure for the transmission of the documentation as much as possible, within the established time frame.

It should be noted that beyond the time limits set for the finalization of the various competition operations (SEE TIMETABLE), the IT system will not allow participants to transmit any further documentation.

Within the context of these rules, the term "competition instructions" refers to the information provided in the competition rules and/or in other competition documents containing the operational instructions for the procedure, which define the details regarding the use of the IT platform and ways to submit the competition documentation.

3.15) USE OF THE IT PLATFORM

In a public session and on the date indicated in the timetable by means of the dedicated software supporting the IT platform, the RUP shall generate two "keys": one public and one hidden. These keys consist of two separate

files, the second of which will be kept secret by the RUP, who will safeguard it until the end of the selection board's works.

The public key will be made available to participants - together with a guide explaining the encryption procedure - on the competition website (<https://www.concorsiawn.it/tor-marancia/documenti>) and used by participants to encrypt the transmission files of the administrative documentation.

Once the selection board's work concerning the second stage has been completed, the RUP, in a public session and using the hidden key, shall access each participant's administrative documentation and match the projects to their authors.

During the period between the launch of registrations to the first stage and the end of the selection board's work, access to the contents of the administrative documentation submitted by each participant shall not be permitted, in order to ensure full anonymity. For any clarifications regarding the technical-operational procedures, please contact our technical assistance at the following email address: assistenza.concorsi@kinetica.it.

3.16) ANONYMITY

The participants' anonymity shall be guaranteed for the entire duration of the competition, by means of two different alpha-numerical identification codes with eight Arabic digits or alphabetical letters. Specifically, the codes may be composed of numbers and/or letters, upper or lower case at the participant's free choice.

Participants must indicate one code for the 1st stage and another code, different from the first, for the 2nd stage of the competition.

The administrative documentation is made inaccessible by an encrypted protection system and will be decoded by the RUP only after identifying the winning project, upon completion of the 2nd stage. The selection board's summary report regarding the 1st stage will refer to the individual projects by means of their respective alpha-numerical codes only.

3.17) COPYRIGHT

Upon payment of the prize, the contracting authority automatically gains ownership of the winning project.

In any case, the copyright and intellectual property of the project proposals remain with the respective authors. However, the contracting authority has the right to publish the project proposals after the conclusion of the competition, listing the names of their authors, without recognizing any additional compensation in their favor. The same right is also held by the authors, who will be able to publish their works without limitations after the conclusion of the competition procedure.

3.18) COMPETITION LANGUAGES AND MEASUREMENT SYSTEM

The official language of this competition is Italian.

Since it is an international competition, the main documents (Competition Rules, Design guidelines, FAQ) will be translated into English and FAQs may be asked in English. FAQs posed in English will be replied in English.

All competition documentation and competition projects should be presented exclusively in the decimal metric system.

3.19) REGISTRATION

In order to participate, the participant (the individual professional, the parent company, the representative of the engineering company or of the professional partnerships) will have to visit the competition website at: <https://www.concorsiawn.it/tor-marancia/iscrizione>

In order for the registration in the competition to be valid, each candidate must duly fill in all the mandatory fields indicated or marked with an asterisk on the on-line form, and upload the projects and the duly encrypted administrative documentation relating to the 1st stage of the competition where required, sending them by pressing the "Submit registration" button within the indicated day and time.

Attention: for the purposes of the submission, the time at which the user presses the "Submit registration" button shall be considered as the time of submission, not the time when the user accessed the page. If the participant presses the button after the indicated deadline (Italian time), the registration will not be considered valid. It is thus advisable to perform these operations well in advance, so as to make use of the dedicated technical assistance in case of need.

To confirm the correct completion of the procedure, the system will issue a notice of receipt of the submitted data and documentation. This notice shall function as a confirmation of correct registration.

4 STAGE 1 OF THE COMPETITION

All participants must submit the following drawings/documents electronically and by their own means:

- > one single file in PDF format, no larger than 30 MB containing the project proposal (see paragraph 4.1). The file may not include any reference to the author, whether explicit or hidden, under penalty of exclusion from the competition.
- > one compressed and appropriately encrypted folder (ZIP) not exceeding 10 MB in size, containing the administrative documentation (see paragraph 4.2);

4.1) PROJECT DOCUMENTATION REQUIRED FOR THE STAGE 1

At this stage, participants must present the following drawings in pdf format. The documents must be anonymous in all their parts (explicit or hidden):

- > **2 tables in A2 format** as per the attached facsimile - horizontal orientation, free representational technique in black and white and/or color - print on one side only, containing the following elements:
 - **Table 1:** it will have to illustrate the design concept, the study of the volumes and the general choices of the project in relation to its integration in the context of Tor Marancia; the table, in addition to the drawings and the views that will be considered as more appropriate, will have to include a plan and two profiles in scale 1:500;
 - **Table 2:** it will have to illustrate the functional and distributive choices, the organization of the external spaces and the system of accesses; the table, in addition to the drawings and the views that will be considered as more appropriate, will have to include the plan of the plane that best represents the project in scale 1:200.
- > **Explanatory report** - maximum 4 pages in A4 format - vertical orientation - for a maximum of 6,000 characters including spaces. The report will illustrate the design choices, including through diagrams and images, in relation to the objectives set out in these Rules and with particular reference to the evaluation criteria set out in point 4.6 below.

The above files must NOT contain any references to the author.

Participants must indicate the number of each table and the alphanumeric code chosen for the 1st stage at the top right of each table, maintaining the position and characters identical to the facsimile.

All documentation containing any kind of recognizable elements (such as titles, logos, claims, etc.) that could make it possible to identify the author of the proposal, will result in the latter's exclusion from the competition.

4.2) ADMINISTRATIVE DOCUMENTATION

During this stage, the following duly encrypted administrative documentation must be uploaded on the Competition website:

- **Annex A** - Application form submitted and signed by the participant's legal representative or attorney and a copy of form F23 as proof of payment of the relevant stamp duty;
- **Annex B**: "Protocol of Integrity" of Roma Capitale, approved by resolution of the Municipal Council no. 40 of 27 February 2015 with a declaration - included at the bottom of said document and made pursuant to Italian Presidential Decree No. 445/2000 and subsequent amendments and additions - of acceptance and commitment to fully comply with the contents of the Protocol of Integrity in question;
- **European single procurement document** – ESPD drafted and signed by the legal representative or attorney of the participant to certify the latter's possession of the general capacity requirements.
- In the case of declarations signed with handwritten signature: **Valid identity document of the signor**;
- **A copy of the power of Attorney** (general or special), or of the minutes of conferral attesting the powers of the signor and the details of the notarial deed.
- Any accompanying documentation regarding the different forms of participation.

In the event the participant is participating in a temporary group/consortium/ EEIG the documents referred to in points a), b), d), e) above must be presented and signed:

- In case of participation in a temporary group/ EEIG, by each of the participants in the temporary group/ EEIG excluding the young professional;
- In case of ordinary consortium, by the Consortium and by each of the other Consortium members listed for the purposes of their participation;
- In case of a permanent Consortium, by the Consortium itself and by each of the Consortium members listed for the purposes of their participation.

In the event the participant participates as an associated firm, the documents referred to in letters a), b), d), e) above must be presented and signed by all partners or by the representative entrusted with appropriate powers.

Should the participant participate in an already established temporary group or consortium, a copy of the irrevocable collective mandate with representation given to the agent or of the consortium's deed of incorporation must also be attached. The special collective mandate of the temporary group and the deed of incorporation of the consortium shall expressly state the single subjects' commitment to belong to the temporary group or consor-

tium and rigorously comply with the obligations established in Italian Law no. 136/2010 and subsequent amendments and additions, also with regards to the relations between the members of the group. If the special mandate of the temporary group and the consortium's deed of incorporation, which need to be presented during the participation stage, do not contain the above-mentioned statement of commitment, the latter shall necessarily be presented by the winner of the competition upon submission of the documents for the stipulation.

The folder containing all the administrative documentation must be compressed into a ZIP folder, not exceeding 10 MB in size, and be appropriately encrypted, as explained in point 3.16 above, before being uploaded to the platform.

Stamp duty payment methods

The application to participate in the competition must be submitted in accordance with the provisions contained in Italian Presidential Decree No. 642/1972 regarding the payment of stamp duty. The payment of the above-mentioned tax of Euro 16.00 must be made by means of the F23 form, where applicants must specify:

- the participant's data (field 4: name or company name, registered office, Province, tax code);
- the contracting authority's data (field 5: Roma Capitale - Dipartimento Sviluppo Infrastrutture e Manutenzione urbana - Tax code (C.F.): 02438750586;
- the code of the office or body (field xxx: RCB);
- the tax code (field 11: 456T);
- the description of the payment (field 12: 'Stamp duty - CIG (Tender Identification Code) No _____

As proof of payment, the participant must include a digital copy the F23 model in the administrative documents. Proof of payment of the stamp duty may also be provided by scanning the document bearing the revenue stamp duly stamped.

4.3) REQUEST FOR FURTHER INFORMATION DURING STAGE 1

Requests for further information may only be made according to the procedure provided for on the competition website at <https://concorsiawn.it/tor-marancia/quesiti> and within the deadline indicated in the timetable.

The RUP will publish the answers within the deadlines set out in the timetable. Both the questions and the answers form an integral part of the Call for proposals.

All communications between the contracting authority and the economic operators are to be deemed as valid and effective if they are made through the IT platform <https://concorsiawn.it/tor-marancia/quesiti>

Any requests concerning the technical-specialist assistance linked to the use of the platform and/or the AVCPass - which can be resolved through the technical assistance made available on the competition website and by ANAC - do not constitute requests for information.

4.4) SUBMISSION OF PROJECT DOCUMENTATION AND ADMINISTRATIVE DOCUMENTATION FOR STAGE 1

The project documentation and administrative documentation must be submitted according to the procedure provided for on the competition website and within the deadline indicated in the timetable.

In order for the registration to be valid, participants must correctly fill in all the required fields marked with an asterisk on the on-line form and press the "Submit registration" button within the indicated day and time.

Attention: for the purposes of the submission, the time at which the user presses the "Submit registration" button shall be considered as the time of submission, not the time when the user accessed the page.

If the participant presses the button after the indicated deadline (Italian time), the registration will not be considered valid. It is thus advisable to perform these operations well in advance, so as to make use of the dedicated technical assistance in case of need.

To confirm the correct completion of the procedure, the system will issue a notice of receipt of the submitted data and documentation. This notice shall function as a confirmation of correct registration.

In order for the registration to be valid, participants must correctly fill in all the required fields marked with an asterisk on the on-line form and press the "Submit registration" button within the indicated day and time.

4.5) SELECTION BOARD

The Selection Board, hereinafter referred to as the "Board", will be appointed by the contracting authority by means of an Executive Deed, pursuant to Article 155 of the Code, after the deadline for participation in the competition proceedings in question is expired.

The Board will be selected according to criteria of transparency and competence and will be composed of 5 expert members in the subject matter of the procedure.

The 5 members of the Board shall have the following profiles and will be selected according to the following procedures:

- one **technical executive** from Roma Capitale, with the role of Chair, appointed through the register kept by Roma Capitale's Centrale Unica Appalti;
- an **architect expert** in the design of public cultural and school buildings, appointed by the Faculty of Architecture of Roma Tre. Said University will provide three names to match the indicated profile. The contracting authority will then proceed by drawing lots, appointing the first name extracted as member of the board and the second name as alternate member.
- an **experienced engineer** in the field of structures / materials technology / environmental sustainability, appointed by the Faculty of Engineering of La Sapienza University in Rome. Said University will provide three names to match the indicated profile. The contracting authority will then proceed by drawing lots, appointing the first name extracted as member of the board and the second name as alternate member.
- an **expert** in cultural and show buildings, appointed by the Teatro dell'Opera Foundation in Rome. The latter will provide three names to match the indicated profile. The contracting authority will then proceed by drawing lots, appointing the first name extracted as member of the board and the second name as alternate member.
- a **designer** with consolidated experience in the design and construction of buildings and public spaces, appointed by the Council of Architects, Planners, Landscapers and Conservationists (CNAPPC) of Rome and its Province under Resolution no. 1840 of 10 July 2019, in which the latter grants local competent councils the right to appoint commissioners. The competent organization will provide three names to match the indicated profile. The contracting authority will then draw lots, appointing the first extracted name as member of the committee and the second extracted name as alternate member.

The provisions on incompatibility and abstention pursuant to Art. 77 par. 6 and Art.78 of Italian Legislative Decree No. 50/2016, pursuant to Art. 155 par.1 of the Code, shall apply to the board.

Pursuant to art. 29 par.1, the Board members' curricula will be made available on the administration's website in the Transparent Administration section.

In light of the current situation and the necessary measures to fight and contain the COVID-19 virus, the Board will mainly convene by means of a dedicated IT platform with restricted access, in order to facilitate remote working and consultation as much as possible.

The members of the Board will examine the proposals submitted by the candidates anonymously and solely on the basis of the criteria set forth in the following specifications.

Anonymity will be respected until the publication of the board's judgment.

During the first stage of the procedure, the selection board will anonymously assess the proposals submitted in accordance with the requirements set out in point 4.1. In this assessment, it shall adopt the criteria set out in these Rules.

At the end of its operations, which are entirely confidential, the board shall draw up the final report, containing the alphanumeric codes of the 5 project proposals the board has selected for the 2nd stage of the procedure, with their respective motivations and without establishing a ranking in terms of merit.

Pursuant to art. 155 of Italian Legislative Decree no. 50/2016 the Board will be responsible for executing the following competition procedures:

- Assessment of the projects' compliance with the requirements of the Call for proposals;
- Examination of the projects and assessment of each of them;
- Formulation of judgements on the basis of the criteria identified in these rules;
- Drafting minutes of the competition operations;
- Drafting the final minutes containing the results of the performed operations;
- Submission of all documentation to the RUP for publication.

4.6) ASSESSMENT PROCEDURE AND CRITERIA FOR STAGE 1

In its first session, the Board shall decide on the admission of the 5 selected participants and define its working methodology, in compliance with the procedures provided for in Article 155, paragraph 4 of the Code. In doing so, it shall refer exclusively to the following criteria, without establishing any sub-criteria.

The selection board shall express its assessment on the basis of the criteria defined in these Competition Rules, over a maximum of 100 points determined by the sum of the scores awarded to the individual criteria on the basis of the assessment coefficients expressed by the board and multiplied by the respective weighting factors. The proposals will be evaluated according to the following criteria:

	CRITERION	EVALUATION ELEMENTS	SCORE
P1	Value of the intervention in the context	The insertion of the new cultural center in the urban and landscape area of reference and the capacity of the project to establish a system of physical or symbolic relations with the surrounding fabric	20
P2	Architectural concept	Architectural quality of the proposal and integration of the new building in the Tor Marancia district	20
P3	Distribution of interior spaces	Interior layout, quality of internal spaces, compliance with the functional program	25
P4	Open spaces and interior/exterior relationship	Quality of access space and gardens and their relationship with interior spaces, integration of the parking space in the design proposal and optimization of accesses	20
P5	Technical/economic feasibility and environmental sustainability	Technical and economic feasibility of the proposal, including with a view to achieving the energy and environmental sustainability objectives set	15
		TOTAL	100

Each member of the board shall assign an assessment coefficient at his own discretion (Ai,Bi,Ci,Di) ranging between 0 and 1 with respect to each criterion listed. The average of the coefficients submitted by the board shall determine the coefficient that will be multiplied by each weight according to the following formula:

$$K_i = A_i * P_1 + B_i * P_2 + C_i * P_3 + D_i * P_4 + E_i * P_5$$

It should be noted that the above assessment coefficients correspond to 0 for the lowest possible performance and 1 for the highest possible and therefore excellent performance, as shown in the following table:

	MINIMUM	MAXIMUM
excellent =	0,81	1
good =	0,61	0,8
fair =	0,51	0,6
sufficient =	0,41	0,5
mediocre =	0,01	0,4
severely insufficient =	0	

The evaluation of the competition documentation submitted shall be performed by means of subsequent critical examinations for each of the criteria listed above. The result will be expressed by assigning scores. The board shall pay particular attention to the suitability of the proposed ideas for the project development during the 2nd stage of the competition and to the possibility of achieving a high-quality result upon conclusion of the Competition.

There is a minimum threshold of 40 points in total to be reached in order to be included in the final selection.

The participants who authored the first five project proposals that obtain the highest scores shall be admitted *ex aequo*, without ranking, to the 2nd stage of the procedure.

The Board will draw up a dedicated report on the evaluation procedure, which will be published together with the alphanumeric codes of the entries selected to continue to the 2nd stage, within the deadline indicated in the timetable on the competition website and on the institutional portal of Roma Capitale.

4.7) RESULT OF THE PRE-SELECTION PROCESS

Upon completion of the operations included in the first stage of the procedure, the Board shall submit the alphanumeric codes related to the 5 projects admitted to the 2nd stage of the competition to the RUP.

These codes shall be published on the Competition website and on the institutional portal of Roma Capitale by the date indicated in point 2.1 above.

The projects submitted during 1st stage shall be archived on the digital platform and cannot be viewed until the end of the Competition.

5 STAGE 2 OF THE COMPETITION

All participants must submit the following drawings/documents electronically and by their own means:

- > One single PDF file no larger than 60MB, containing the graphic tables (see point 5.1), without reference to the author, whether explicit or hidden, under penalty of exclusion from the competition.
- > One single PDF file no larger than 10MB, containing the explanatory report, without reference to the author, whether explicit or hidden, under penalty of exclusion from the competition.

No further administrative documentation is required for the second stage.

5.1) PROJECT DOCUMENTATION REQUIRED FOR STAGE 2

Participants admitted to the 2nd stage of the Competition are required to develop the design idea presented in the 1st stage.

At this stage, participants are required to present the following documentation, under penalty of exclusion:

- > **Explanatory report** - maximum 12 pages in A4 format - vertical orientation - for a maximum of 18,000 characters including spaces. The report may contain graphic diagrams and images and will highlight the concepts expressed graphically, with particular reference to the evaluation criteria indicated in this Rules.

The report should also include:

- approximate calculation of expenditure and verification of the coherence of the economic program;
- **verification of the consistency of the functional program.** The attached table will have to be filled in and included in the report.

- > **No. 6 Graphic tables** - A1 format – horizontal orientation - free representative technique in black and white or color and containing the following elements:

- **TAB 1 and 2** – will fully illustrate the integration of the building in the urban context, the relationship with the city, the illustration of the external spaces, the access system. At least one general plan in scale 1:200 must be submitted;
- **TAB 3 and 4** – will fully describe the building, the functional program, the routes. They must make clear the possible uses made by different users at different times of the day; plans of all levels, and the most significant elevations and sections in scale 1:200 must be present;
- **TAB 5 and 6** – will illustrate the building and technological solutions adopted, the choice of materials, the solutions aimed at energy saving, environmental sustainability and compliance with the Minimum Environmental Criteria, with a view to the economical management and maintenance of the project.

Participants must indicate the number of each table and the alphanumeric code chosen for the 2nd stage at the top right of each table, maintaining the position and characters identical to the facsimile.

All documentation containing any kind of recognizable elements (such as titles, logos, claims, etc.) that could make it possible to identify the author of the proposal, will result in the latter's exclusion from the Competition.

5.2) REQUEST FOR FURTHER INFORMATION DURING STAGE 2

Requests for further information may only be made according to the procedure provided for on the competition website at <https://concorsiawn.it/tor-marancia/quesiti> within the deadline indicated in the timetable of this call for proposals.

The minutes of these requests as well as the respective answers will be published on the competition website at <https://concorsiawn.it/tor-marancia/quesiti> within the deadline indicated in the timetable.

The answers to the questions shall become an integral part of these Competition Rules.

5.3) SUBMISSION OF PROJECT DOCUMENTATION DURING STAGE 2

Participants may submit their project documentation in the same way as in stage one, pursuant to the procedure set forth on the competition website and within the deadline indicated in the timetable.

By way of confirmation of the participant's correct completion of the procedure, the system will issue a receipt for the submitted documentation, which will function as an official confirmation for the participant.

The Selection Board, the RUP and the Technical Secretariat shall take all necessary measures to maintain the anonymity of the competing proposals. In particular, the database containing the participants' names and the alphanumeric codes assigned to their proposals shall not be accessible to the members of the Board nor to the Secretariat, but shall be contained in a protected document that is automatically encrypted by the system and can be accessed only by the RUP by means of a password.

5.4) DUTIES OF THE SELECTION BOARD DURING STAGE 2

The Selection Board shall be composed by the same members during the 1st and 2nd stage. **The board's decision is binding for the contracting authority which, after verifying the requirements of the participants, shall approve the final ranking by means of a specific administrative order.**

5.5) ASSESSMENT PROCEDURE AND CRITERIA FOR STAGE 2

In its first session, the Board shall decide on the admission of the participants and define its working methodology in compliance with the procedures provided for in Article 155, paragraph 4 of the Code. In doing so, it shall refer exclusively to the following criteria, without establishing any sub-criteria.

The selection board shall express its assessment on the basis of the criteria defined in these Competition Rules, over a maximum of 100 points determined by the sum of the scores awarded to the individual criteria on the basis of the assessment coefficients expressed by the board and multiplied by the respective weighting factors. The proposals will be evaluated according to the following criteria:

	CRITERION	EVALUATION ELEMENTS	SCORE
P1	Architectural quality and inclusion in the urban context	Project quality from a compositional and architectural point of view and the overall integration of the intervention in the urban context	20
P2	Articulation of the interior spaces and consistency with the functional program	Quality of the interior spaces and the distribution solutions proposed in relation to the different users and activities, consistency with the functional program, effectiveness of the internal connections and simplicity of use of the different areas	25
P3	Quality of open spaces	Design of the external spaces and their relationship with the building and the city, integration of the parking area in the ground level drawing, optimization of the access system and integration of the green	15
P4	Building/technological quality and environmental/energy sustainability	Quality of the building, technological and systems related solutions adopted and choice of materials with a view to contain consumption and the related management costs, ensuring sustainability and limiting the environmental impact of the intervention, also with reference to the MEC (Minimum Environmental Criteria) and other relevant certifications	15
P5	Economic sustainability	Consistency of the approximate calculation of costs with the funding allocated and optimization of available resources	15
P6	Maintainability and durability of the designed solution	Effectiveness of the proposed solutions in terms of optimization of maintenance and management costs along the life cycle of the work.	10
		TOTAL	100

Each member of the board shall assign an assessment coefficient at his/her own discretion (Ai,Bi,Ci,Di, Ei, Fi) ranging between 0 and 1 with respect to each criterion listed. The average of the coefficients submitted by the board shall determine the coefficient that will be multiplied by each weight according to the following formula:

$$K_i = A_i * P_1 + B_i * P_2 + C_i * P_3 + D_i * P_4 + E_i * P_5 + F_i * P_6$$

It should be noted that the above assessment coefficients correspond to 0 for the lowest possible performance and 1 for the highest possible and therefore excellent performance, as shown in the following table:

	minimum	maximum
excellent =	0,81	1
good =	0,61	0,8
fair =	0,51	0,6
sufficient =	0,41	0,5
mediocre =	0,01	0,4
severely insufficient =	0	

The evaluation of the submitted competition documentation shall be performed by means of subsequent critical examinations for each of the criteria listed above. The result will be expressed by assigning scores to each proposal and classifying them in a final ranking.

There is a minimum threshold of 40 points in total to be reached in order to be included in the final selection.

The entire evaluation procedure will be described in a dedicated minutes.

5.6) PRIZES

The Competition will conclude with a merit ranking. The fee to be awarded to the highest ranked proposal for the drafting of the technical and economic feasibility project equals **€ 32,079.64 plus VAT and social security contributions.**

Participants ranked in 2nd, 3rd, 4th and 5th place will be awarded the following prizes:

Reimbursement for 2nd place: € 5,500.00 plus applicable social security contributions and VAT,

Reimbursement for 3rd place: € 5,500.00 plus applicable social security contributions and VAT,

Reimbursement for 4th place: € 5,500.00 plus applicable social security contributions and VAT,

Reimbursement for 5th place: € 5,500.00 plus applicable social security contributions and VAT,

Only participants who achieve a score of no less than 40/100 at the second stage of the competition will be entitled to a reimbursement. Should a reimbursement not be assigned to a winning candidate for whatever reason, the amount in question will be redistributed in favor of the other ranked participants.

The authors of all valid and worthy proposals (the first five in the ranking, plus any other proposals worthy of mention), will receive a **Certificate of Good Performance of the Service**, which can be used for the purposes of the receivers' curriculum as well as to fulfill the participation requirements and prove the holder's technical merit in the context of procedures for the assignment of architectural and engineering services.

5.7) PROVISIONAL RANKING – VERIFICATION OF THE WINNER'S REQUIREMENTS – FINAL RANKING

The ranking drawn up by the Board will be communicated in a public competition session, which will be announced on the website of Roma Capitale and on the portal of the CNA (Italian Confederation of Craftsmen and SMEs), in which the Board will publish its judgment on all submitted proposals.

Also in a public session, the RUP will then proceed to the decrypting of the alphanumeric codes and will match them to the respective names of the participants.

Subsequently, the appointed competition commission together with the RUP will open and examine the administrative documentation submitted by

the five participants admitted to the second stage.

They shall thus proceed to:

- > check the administrative documentation's full compliance with the requirements set forth in these Rules;
- > activate the procedure for remedying deficiency referred to in point 3.7 above;
- > draw up a special report on the performed operations (which also lists the proposed admitted and excluded candidates);

In the case of irregularities that cannot be remedied by means of the procedure mentioned in point 3.7, the participant will be excluded from the competition and a new ranking for the 2nd stage of the competition will be established.

Participants who have been excluded from the competition shall not be awarded any prize.

The order determining exclusions and admissions from the competition procedure will be drafted by the proposing office, which will also provide for the fulfillment of the provisions contained in Article 29, paragraph 1 of the Code.

If not already declared in the application form (Annex A), the competition commission shall proceed to ask the winning candidate whether he/she possesses the necessary requirements for the subsequent stage, when the study of technical and economic feasibility and the final and executive project will be carried out.

In particular, the commission will check whether the winner possesses the requirements set forth in **art. 83 par.1 lett. b) and c) of the Code and of the working group, in accordance with the provisions of points 3.5, 3.5.1, 3.5.2,** and will, upon conclusion of the competition procedure, constitute a temporary group among the subjects referred to in paragraph 1 of art. 46, as provided for by art. 152, paragraph 5 of the Code.

The special requirements referred to in points 3.5.1, 3.5.2 must be met by the group as a whole. The agent must possess a majority share with respect to the principals, who may not be required to possess a minimum percentage of the same requirements.

In the event the group is formed in a temporary manner, it must be formally established before it can accept the assignment to develop further stages of the project.

In order to prove that he/she can fulfill the requirements needed to execute the services referred to in the previous stage, the winner of the competition, in addition to recurring to the assignment of the project according to Article 89 of Italian Legislative Decree 50/2016 and subsequent amendments and additions, may constitute a temporary group, pursuant to Article 152, paragraph 5 of Italian Legislative Decree 50/2016 and subsequent amendments and additions, among the subjects referred to in Article 46, paragraph 1 of

Italian Legislative Decree 50/2016 and subsequent amendments and additions. Alternatively, the winning participant may modify the group previously proposed to participate in the competition with other subjects, provided that in both cases these subjects have not already participated in the competition and have expressed commitment to this effect at the time of submitting their competition proposal.

With the assistance of the competition commission, the RUP reserves the right to verify whether these prohibitions have been respected, by examining the administrative documentation submitted by all participants.

The documentation produced by the winner will also be examined by the competition commission. If the submitted documentation is incomplete, the latter may decide to activate the procedure provided for in Article 83, paragraph 9 of the Code.

The competition commission will draw up a special report concerning its operations, which it will send to the RUP who can then proceed to fulfill his/her responsibilities.

In particular, the RUP shall proceed to verify the winner's professional suitability, economic and financial capacity, and technical-professional abilities.

The other Participants included in the list of award winners will be subjected to an assessment of their general capacity (absence of the grounds for exclusion as per art. 80 of the Code) as well as of their compliance with the requirements mentioned in point 3.4, by means of the AVCpass system.

The winner's possession of the necessary requirements is a mandatory condition for the awarding of the prize and the awarding of the above-mentioned project.

At the end of the above-mentioned procedures, the final ranking will be drawn up with the announcement of the winner and the recipients of the prizes, which will then be published in the Competition website.

Pursuant to article 32, paragraph 7 of the Code, **the assignment of the prize and the project becomes effective** once the RUP has positively ascertained that the winner possesses all the necessary requirements.

6 FINAL FULFILMENTS

6.1) CONTRACT ASSIGNMENT

The Contracting Authority entrusts the first ranked, i.e. the winner of the competition, with the completion of the project of technical-economic feasibility once the declarations he/she made have been verified and the requirements under Italian Legislative Decree 50/2016, as amended and supplemented, have been satisfied. By making use of its power under art. 154, paragraph 4 of Italian Legislative Decree no. 50/2016, it will subsequently entrust to the same winner the drafting of the final and executive design.

Professional fees, determined in accordance with the Italian Ministerial Decree of 17 June 2016, as per the attached analytical calculation, and net of social security charges and VAT, are summarized below:

- a) € 32,079.64 plus VAT and social security contributions - completion of the technical and economic feasibility Project;**
- b) € 155,874.45 plus VAT and social security contributions - Final design;**
- c) € 130,767.57 plus VAT and social security contributions - Executive design.**

The amount relating to the technical and economic feasibility project (preliminary design) of € 54,079.64, including costs and ancillary charges equal to 25.00%, was reduced by **€ 22.000,00**, on account of the total amount to be paid to those participants who ranked 2nd to 5th place as reimbursement/premium.

The amounts relating to the final and executive design have been reduced by 25.00% on account of costs and ancillary charges, as a discount for the Public Administration, in view of the joint assignment of all the design phases to a single economic operator.

For the delivery of the designs, as indicated in detail in the Contract Scheme, to which reference is made, the following deadlines must be respected:

- completion of the technical-economic feasibility project: within **30 (thirty) days** from the date of the communication by the RUP that the services in question have been entrusted;
- final draft: within **75 (seventy-five) days** from the date of the communication by the RUP that the services in question have been entrusted;
- executive draft: within **75 (seventy-five) days** from the date of the communication by the RUP that the final design has been approved.

Should the winner be entrusted with the services listed below, he/she shall sign a contract with the Contracting Authority, against the lodging of the final security, where the terms and deadlines to be respected for the subsequent stages of the project will be clearly stated.

The professional contract that will be signed with the winning Participant shall bind the latter, under penalty of termination of the contract, to fully

respect the amount allocated for the project in these Competition Rules and to ensure that the project complies with all the regulations in force and with those that have entered into force during the drafting of this project, in view of completing the authorization processes needed in the various fields involved (urban planning, fire prevention, hygiene and health, landscaping, structural, plant engineering). The Participant shall assume a precise obligation to comply with the requirements of the relevant authorities until the necessary authorizations are obtained without demanding any additional fee to be added to the one indicated in this Call for proposals and included in the contract.

The economic operator in charge of the design must be in possession of a Professional Civil Liability Policy covering all risks deriving from the performance of the activities for which he/she is responsible. More specifically, this policy must cover any risks deriving from errors and omissions in the drafting of the project, which may lead to new expenses and/or higher costs to be borne by the customer. The policy in question must be valid for the entire duration of the service, until the Certificate of Conformity Verification for the services performed is issued.

The company in charge of the design also undertakes to stipulate the final guarantee policy pursuant to art. 103, paragraph 1 of Italian Legislative Decree 50/2016.

Failure to submit the above-mentioned policies prior to the formalization of the assignment exonerates the Client from paying any professional fees.

The Customer may request the appointed company to design the project with variations, without incurring in any further costs or charges, in total or partial discharge of the indemnities guaranteed by the insurance policy.

6.2) PUBLICATION AND EXHIBITION OF PROJECT PROPOSALS

The contracting authority has the right to display the project proposals of the Competition in public, mentioning the names of the authors and collaborators, and to present an excerpt of them in the competition catalog or in other publications, without this implying any claim of a financial or other nature on behalf of the participants.

In particular, the contracting authority, as per the competition timetable:

- will publish the project proposals submitted on the competition website;
- will set up an exhibition of all the project proposals submitted, with possible publication.

7 PERSONAL DATA PROCESSING AND JUDICIAL PROTECTION

7.1) PROCESSING OF PERSONAL DATA

The data collected will be processed, also through computer tools, according to the Italian Legislative Decree of 30 June 2003, no. 196 as amended and supplemented and of Regulation (EC) of 27 April 2016 No. 2016/679/EU, only within the framework of the procedure to which these Rules relate.

According to art. 71 of Italian Presidential Decree no. 445/2000, the contracting authorities may carry out appropriate checks both randomly and, in any case, whenever a doubt arises as to the truthfulness of the self-declarations made for the purposes of participation in the competition.

7.2) PUBLICATION OF THE CALL FOR PROPOSALS

Pursuant to Art. 72 of Italian Legislative Decree No. 50 of 18 April 2016 and the provisions contained in Italian Ministerial Decree of 2nd December 2016 by the Italian Ministry of Infrastructure and Transport, the Call for proposals and related annexes shall be published for at least 35 days on the following media:

- on the Official Journal of the European Union;
- on the Gazzetta Ufficiale (Official Journal) of the Italian Republic;
- on the client profile
- on the website of the Minister of Infrastructures and Transport (MIT) of Italy
- on the municipal notice board
- on the digital platform of the Italian Confederation of Crafts and Small and Medium Enterprises (CAN)
- on no. 2 national daily newspapers
- on no. 2 local daily newspaper

Costs relating to the publication of the call for proposal and the notice on the results of the assignment procedure, with the exception of the costs of the advertising dealer, pursuant to art. 216, paragraph 11 of the Code and of Italian Ministerial Decree of 2 December 2016 (OJ 1.25.2017, No. 20), shall be borne by the successful tenderer and shall be reimbursed to the contracting authority within 60 days of the award.

The contracting authority will inform the winning participant of the actual amount of the above costs, providing evidence of them and indicating the method of payment.

The winning participant shall also bear all contractual expenses, tax charges such as taxes and duties - including registration fees, if applicable - relating to the stipulation of the contract.

7.3) CROSS-BORDER NATURE OF THE CONTRACT

By its nature, this contract has a certain cross-border interest.

7.4) ACCEPTANCE OF THESE RULES CLAUSES

Participation in the Competition implies that each participant accepts all the provisions and clauses contained in these Rules unconditionally. Failure to comply with the articles of these Rules constitutes ground for exclusion from the Competition.

7.5) JUDICIAL PROTECTION

The call for proposal and any acts related to and consequential upon the competition procedure can only be challenged by appealing to the Regional Administrative Court.

In any case, art. 211 of Italian Legislative Decree no. 50/2016 and articles 119 and 120 of Italian Legislative Decree no. 104/10 (Administrative process Code) shall apply.

Court of competent jurisdiction: Court of Rome.

