

# INDIPENDENTI

NUOVO MERCATO SAN GIOVANNI DI DIO

# CONFORSI

NUOVO MERCATO SAN GIOVANNI DI DIO

ROMA 

## COMPETITION RULES

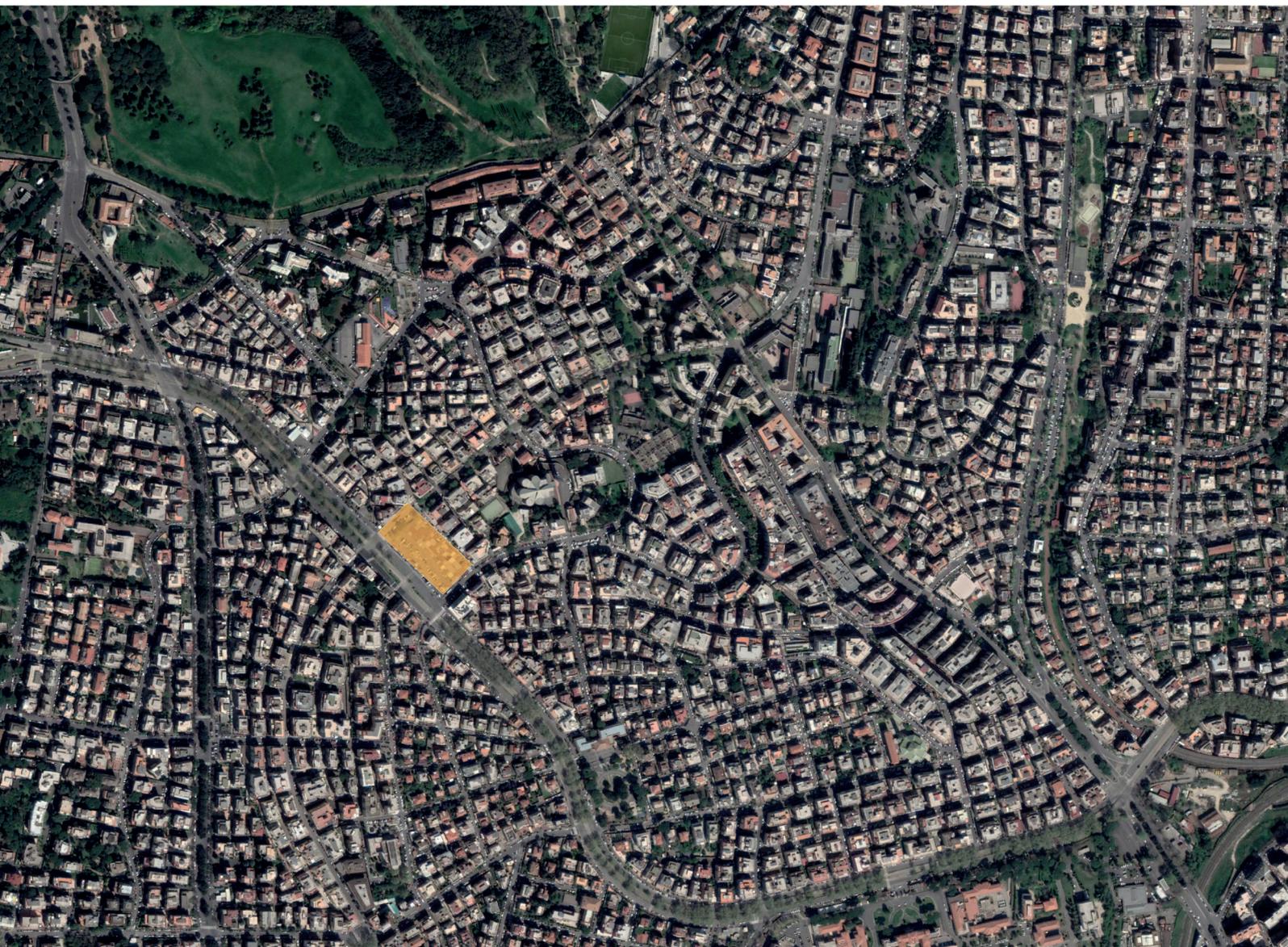
Open two-stage  
DESIGN COMPETITION  
in telematic mode

**“The New Neighbourhood Market – San Giovanni di Dio”**



# FORSO

NUOVO MERCATO SAN GIOVANNI DI DIO



## **TABLE OF CONTENTS**

<b>1.) GENERAL INFORMATION</b>	<b>PAG.5</b>	<b>4.) STAGE 1 OF THE COMPETITION</b>	<b>PAG. 33</b>
1.1 Contracting authority		4.1 Project documentation required for the stage 1	
<b>1.2 COORDINATION</b>		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	
<b>2.) TIMETABLE / COMPETITION DOCUMENTATION</b>	<b>PAG.9</b>	4.6 Assessment procedure and criteria for Stage 1	
2.1 Timetable		4.7 Result of the pre-selection process	
2.2 Competition documentation		<b>5.) STAGE 2 OF THE COMPETITION</b>	<b>PAG. 41</b>
<b>3.) REGULATORY REFERENCES</b>	<b>PAG.13</b>	5.1 Project documentation required for Stage 2	
3.1 Regulatory references		5.2 Request for further information during Stage 2	
3.2 Subjects admitted to the competition		5.3 Submission of project documentation during Stage 2	
3.3 General requirements and items of evidence		5.4 Duties of the selection board during Stage 2	
3.4 professional competence requirements for participation		5.5 Assessment procedure and criteria for Stage 2	
3.5 Working group requirements, financial viability and technical and professional capacity needed to be entrusted with the subsequent architectural and engineering services		5.6 Prizes	
3.6 Indications for temporary groups, ordinary consortia, network aggregations, eeig		5.7 Provisional ranking – verification of the winner’s requirements – Final ranking	
3.7 Procedure for remedying deficiency		<b>6.) FINAL FULFILMENTS</b>	<b>PAG. 48</b>
3.8 Pooling		6.1 Contract assignment	
3.9 Subcontracting		6.2 Publication and exhibition of project proposals	
3.10 Provisional warranty		<b>7.) PERSONAL DATA /JUDICIAL PROTECTION</b>	<b>PAG. 50</b>
3.11 Inspection		7.1 Personal data processing pursuant to Art. 13 of Italian legislative Decree No. 196/2003	
3.12 Payment of the contribution in favour of ANAC		7.2 Publication of the call	
3.13 Grounds for exclusion and limitations to participation		7.3 Settlement of disputes	
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 Programmazione Attuazione Urbanistica - Direzione – Via del Turismo, 30 – 001444 Roma – C.F. 02438750586

## 1.2) COORDINATION

**Sole Responsible for the Procedure (R.U.P.):** Arch. Sara Lo Cacciato  
mail: sara.locacciato@comune.roma.it  
tel. 06 69602 860

## 1.3) TYPE OF COMPETITION PROCEDURE

The recourse to the competition procedure launched by Roma Capitale Dipartimento Programmazione e Attuazione Urbanistica was ordered by Decision to contract out no. rep. QI 1032 del 29/07/2020.

The competition will be held by means of an open procedure and anonymously, pursuant to art. 60 of Legislative Decree 50/2016 and subsequent amendments and additions, and will be constituted by 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 Programme 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 ranking in terms of merit;

#### > Stage 2 (project preparation):

Participation in Stage 2 is reserved to the authors of the 5 best creative proposals, which, developed in respect of the costs, the Competition Programme 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 online 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/nuovo-mercato-sangiovanni>

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 requested requirements.

This design contest concerns the design of the neighbourhood market "Il Nuovo Mercato Rionale - San Giovanni di Dio", as an important territorial public infrastructure that can respond to the functional need of building market facilities in the XII District (XII Municipio) in Rome as well as to the need to create a multifunctional area for the community to gather.

More specifically, in its first stage, this procedure aims at obtaining a design proposal for the area specified below, followed by the technical and economic feasibility project in Stage 2:

##### **Piazza San Giovanni di Dio**

More specifically, the architecture and engineering service shall include

**Stage 1:** elaboration of a design proposal according to the Competition Rules containing the design ideas for the realization of the new marketplace, with particular regard to its location within the existing urban context.

**Stage 2:** feasibility study pursuant to art. 23 paragraphs 4-5 of Italian Legislative Decree 50/2016 and subsequent amendments and additions, developing all the necessary studies and drawings to identify the characteristics of the project in terms of size, volume, type, function and technology as well as the respective financial estimates.

The fee to be awarded to the highest ranked proposal in order to perform the feasibility study is equal to the cost of the professional service for:

**Technical and financial feasibility project for the "Il Nuovo Mercato Rionale - San Giovanni di Dio" for a total amount of € 42,000.00, plus applicable social security contributions and VAT.**

These amounts have been determined in accordance with the Decree of the Italian Minister of Justice of 17 June 2016, with reference to the drafting of the technical and economic feasibility project (preliminary design), including expenses and ancillary charges (not exceeding 25.00% of the professional remuneration), for a total amount of € 66,000.00 reduced by € 24,000.00, as total amount of reimbursements to participants ranking from 2nd to 5th place, in addition to social security contributions and VAT charges required by law.

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 requirements:

- **Final design project for the “Il Nuovo Mercato Rionale - San Giovanni di Dio”, total amount € 156,500.00;**
- **Executive design project for the “Il Nuovo Mercato Rionale - San Giovanni di Dio”, total amount € 134,000.00;**

in addition to applicable social security contributions and VAT. These amounts are set in accordance with the Minister of Justice Decree of 17 June 2016, with reference to the Final and Executive Project, less expenses and accessory charges (not exceeding 25.00% of the Professional Remuneration), as a discount for the public administration.

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 € 4,234,356.00, net of VAT.

Since this is a design competition, the estimated value 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 € 391,508.00 plus VAT, of which € 42,000.00 as a prize to be used for the preparation of the technical and economic feasibility study, plus €1,680.00 for the Italian National Pension and Security Fund for Engineers and Architects (CNPAIA); € 156,500.00 for the drafting of the final design project plus € 6,260.00 CNPAIA; €134,000.00 for the executive design, plus €5,360.00 CNPAIA; € 19,950.00 plus € 798.00

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 Ministerial Decree of 17 June 2016 regarding professional fees for Architectural and Engineering Services:

<b>THE NEW NEIGHBOURHOOD MARKET - SAN GIOVANNI DI DIO</b>						
Category	Functional purpose	"Work-ID"	Degree of complexity	Correspondence Italian Law 143/1949 Classes and Categories	Percentage Incidence % % Incidenza percentuale %	€ Amount
Construction	Hotels, Holiday Villages - Markets and Complex Shopping Centres Sport, Worship	E 04	1,2	I/d	38	1.609.055,28 €
Structures	Structures, one-off infrastructure Works	S.03	0,95	I/g	16	677.496,96 €
Structures	Structures, one-off infrastructure Works	S.04	0,9	IX/b	16	677.496,96 €
Systems	Fluid-powered mechanical systems for construction purposes	IA.02	0,85	III/b	18	762.184,08 €
Systems	Electrical and special systems for construction -Single equipment for laboratories and pilot systems	IA.03	1,15	III/c	12	508.122,72 €

**ESTIMATED COST OF OPERATIONS (INCLUDING SECURITY CHARGES) = 4.234.356,00 €**

The subdivision into "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-organisational 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 its subsequent amendments and additions.

## 2 TIMETABLE AND COMPETITION DOCUMENTATION

### 2.1) TIMETABLE

OBJECT	DATE DD/MM/YYYY
Publication on	<b>31/08/2020</b>
Publication on website <a href="http://www.concorsiawn.it">www.concorsiawn.it</a> , by	02/09/2020
Public session for security key codes generation and concomitant opening of Stage 1, Sole Responsible for the Procedure (R.U.P.)	03/09/2020
Opening of the period for Stage 1 requests for information	14/09/2020
Closing of the period for Stage 1 requests for information by	23/09/2020
Publication of the minutes on requests for information and related answers during Stage 1	28/09/2020
Closing of registrations and concomitant sending of documents and administrative documentation for Stage 1, by 12:00 pm	<b>05/10/2020</b>
Selection Board Sessions	19-20-21/10/2020
Publication of the alphanumeric codes admitted to Stage 2 and simultaneous launch of Stage 2	<b>23/10/2020</b>
Opening of the period for Stage 2 requests for information	03/11/2020
Closing of the period for Stage 2 requests for information, by	13/11/2020
Publication of report on requests for information and related answers during Stage 2, by	18/11/2020
Closing of the period for sending Stage 2 documentation, before 12:00 noon on	<b>27/11/2020</b>
Selection Board Sessions	30/11-01-02/12/2020
Public session to decrypt admissible documents and draw up provisional ranking	<b>03/12/2020</b>
Public administrative meeting to verify requirements	09-10-11/12/2020
Publication of provisional ranking	14/12/2020

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 Table 1 – Stage 1;

Facsimile Table 2 - Stage 1;

Facsimile Tables – Stage 2;

> **Technical documentation of the competition**

Design guidelines

Table with a perimeter of the area object of the competition

Table with a Local Authorities perimeter for the temporarily displace of the existing market

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

State of affairs survey (this document will be provided in Phase 2)

Photographic documentation

Regional Geo-referenced Technical Map

> **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

Systems and Rules 1:5000 scale Sheet 17-IV

Ecological network 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

Descriptive documents of the General Regulatory Plan:

D7. Strategic planning areas: overview 1:20,000 scale

Indicative Documents of the General Regulatory Plan:

I2 Reference schemes for Local Authorities – XVI District - Local Authority No. XVI Monteverde

I8 Strategic planning item - Railway belt

I8.1 Resources scale 1:20,000

I8.2 Objectives scale 1:20,000

> **Historical documentation**

Historical photographs of the market area

> **Guidelines**

Annex 1 – Urban planning framework

Annex 2 - The challenge of the competition

Annex 3 - Sustainable Urban Mobility Plan (PUMS) provisions

Annex 4 - Memorandum of the Capitoline Council No. 25 of 24 April 2020

> **Other documentation**

Decision to contract out

Call for proposals

Technical regulations for entrusting the work

Competition QE (variable fee covering the costs of provisioning)

QE (variable fee covering the costs of provisioning) amount of work  
and expenditure limit

Calculation of Categories according to DM 17-06-2016

Calculation of Requirements

Fee Calculation

The above documentation is published in a **dedicated section of the competition website at <https://www.concorsiawn.it/nuovo-mercato-sangiovanni/documenti>** 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 18 April 2016, n. 50 and subsequent amendments and additions (hereinafter: code) – Art.154, paragraph 4;
- > Italian Ministerial Decree (Justice) of 17 June 2016.

#### **Guidelines – ANAC guidelines:**

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

#### **Market regulations:**

- > Resolution of the Regional Council No.139/2009 Policy document for trade in public areas
- > Ministry of Health ORDER of 3 April 2002 Hygiene and health requirements for food trade in public areas
- > Deliberation of the Rome Council No. 29/2018 NEW RULES OF COMMERCIAL ACTIVITIES IN PUBLIC AREAS

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

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

### 3.2) SUBJECTS ADMITTED TO THE COMPETITION

Companies or professionals 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:

- a. individual or associated self-employed professionals in the forms recognized by the current regulatory framework;
- b. professional enterprises;
- c. engineering companies;
- d. 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);
- e. temporary groups or ordinary consortia formed by the entities referred to in points (a) to (h) of this list;
- f. permanent consortia of professionals, and of engineering companies, also in mixed form (hereinafter also permanent consortia of companies) and EEIGs;
- g. permanent consortia of professionals pursuant to Article 12 of Italian Law 81/2017;
- h. clusters of the economic operators referred to in points a), b), c) and d) parties to the network contract (network of undertakings, network of professionals or mixed network pursuant to Article 12 of 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.

Economic operators who are members of a network and are not taking part in the competition procedure may submit bids for the same competition, either individually or in an associated form. The permanent consortia re-

ferred 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.

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, 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

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 September 6, 2011 shall also be excluded from the competition;

Finally, the non-acceptance of the clauses contained in Roma Capitale's Integrity Protocol constitutes grounds 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 FOR PARTICIPATION

- > (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 authorised 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 provide the respective evidence documentation in the AVCPass system.

- > for Engineering Companies and professional partnerships) Registration in the register kept by the Chamber of Commerce, Industry, Crafts and Agriculture.

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 State in which they are established, providing the relative evidence documentation.

The participation of junior architects and junior engineers is allowed with-

in 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 shall 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 retrieve the requested information or data.

### 3.5) WORKING GROUP REQUIREMENTS, FINANCIAL VIABILITY AND TECHNICAL AND PROFESSIONAL CAPACITY NEEDED TO BE ENTRUSTED WITH THE SUBSEQUENT ARCHITECTURAL AND ENGINEERING SERVICES

In order to prove compliance with the requirements set out in this paragraph which are necessary to carry out the feasibility study and perform 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.

#### **Professional competence requirements of the Working Group:**

- For the geologist drawing up the geological report: registration in the corresponding register provided for by the national legislation to which he belongs.

**Note: as 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 annual turnover to the winning participant, as shown in the last VAT return, in the cases indicated by Ministerial Decree no. 263 of 2 December 2016.

- For fire-fighting professionals: registration in the list of the Ministry of the Interior pursuant to Article 16 of Legislative Decree 139
- For the professional who draws up the Safety and Coordination Plan: possession of the requirements set out in art. 98 of Italian Legislative Decree 81/2008 for the performance of the role of Safety Coordinator in the planning stage.

**Economic-financial requirement (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 of his/her professional policy with a maximum insurable amount of € 423,435.60 or higher (even in the form of a self-certification, in accordance with Art.19 of Italian Presidential Decree 445/2000).

**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 1.2 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.

THE NEW NEIGHBOURHOOD MARKET - SAN GIOVANNI DI DIO							Requirements
Category	Functional purpose	"Work-ID"	Degree of complexity	Correspondence Italian Law 143/1949  Classes and Categories	Percentage Incidence % Incidenza percentuale %	€ Amount	Minimum total amount for the list of services (1.2 times the value of the works)
Construction	Hotels, Holiday Villages - Markets and Complex Shopping Centres Sport, Worship	E 04	1,2	I/d	38	1.609.055,28 €	965.433,17 €
Structures	Structures, one-off infrastructure Works	S.03	0,95	I/g	16	677.496,96 €	406.498,18 €
Structures	Structures, one-off infrastructure Works	S.04	0,9	IX/b	16	677.496,96 €	406.498,18 €
Systems	Fluid-powered mechanical systems for construction purposes	IA.02	0,85	III/b	18	762.184,08 €	457.310,45 €
Systems	Electrical and special systems for construction -Single equipment for laboratories and pilot systems	IA.03	1,15	III/c	12	508.122,72 €	304.873,63 €

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 10 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 0.6 its value.

Instead of the 2 services, the operator can also prove his/her fulfilment 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 operations, listed by category and ID, are shown in the following table:

Category	Functional purpose	"Work-ID"	Degree of complexity	Correspondence Italian Law 143/1949  Classes and Categories	Percentage Incidence % Incidenza percentuale %	€ Amount	Minimum total amount for the list of services (1.2 times the value of the works)
Construction	Hotels, Holiday Villages - Markets and Complex Shopping Centres Sport, Worship	E.04	1,2	U/d	38	1.609.055,28 €	1.158.519,80 €
Structures	Structures, one-off infrastructure Works	S.03	0,95	I/g	16	677.496,96 €	487.797,81 €
Structures	Structures, one-off infrastructure Works	S.04	0,9	IX/b	16	677.496,96 €	487.797,81 €
Systems	Fluid-powered mechanical systems for construction purposes	IA.02	0,85	III/b	18	762.184,08 €	548.772,54 €
Systems	Electrical and special systems for construction - Single equipment for laboratories and pilot systems	IA.03	1,15	III/c	12	508.122,72 €	365.848,36 €

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 10 years in relation to each category, showing the respective amounts of the operations involved. This list shall be accompanied by certificates of proper performance and satisfactory completion of the most important services.

We hereby specify that for the following categories:

- E.04- Hotels, Holiday Villages - Multifunctional Markets and Shopping Centres, Sports, Places of worship
- S.03- Structures in reinforced concrete;
- S.04- Metal structures;

and 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 com-**

We further specify that for the remaining categories:

- IA.02- Heating system,
- IA.03- Electrical system;

and for the purposes of proving compliance with the requirement, only the activities carried out for the above categories are to be considered eligible.

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 10 years are any services started and completed within that timeframe 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 timeframe. 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 fulfilment of welfare

contribution obligations), 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 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 held 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 for registration in the Professional Association of reference applies to all professionals in the working group who are in charge of the performance of the services covered by the contract.

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

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 are indicated as being in charge of this service within the working group.

The requirement of art. 98 of Legislative Decree 81/2008 for the performance of the activity of Safety Coordinator during the planning stage applies to professionals who are indicated as persons in charge of this service in the working 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 a 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.

### Indications 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:

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

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.

### 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 offer. 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 offer (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 regularisation measure, the contracting authority shall grant the participant a reasonable period - not exceeding ten days - to produce, supplement or regularise 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 Article 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 timeframe 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 competition.

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 authorisation 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 authorised 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

No inspection is planned.

### 3.12) PAYMENT OF THE CONTRIBUTION IN FAVOUR OF ANAC

Pursuant to Article 65 of Italian Decree-Law No. 34, published in the ordinary supplement to the Gazzetta Ufficiale No. 128 of 19 May 2020, as part of the initiatives aimed at providing financial support to citizens, administrations and businesses facing liquidity issues in this particular context of the global health emergency, a temporary exemption from the payment of contributions due by public and private organisations, pursuant to Article 1, paragraph 65, of Italian Law No. 266 of 23 December 2005, has been acknowledged for participation in competition procedures launched from the date of entry into force of the aforementioned Decree-Law.

### 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 favoured 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 Rules and in the Competition documentation.

For any matter not expressly provided for in these Rules, please refer to Italian Legislative Decree 50/2016 and subsequent amendments and additions or to the rules imposed by the relevant legislation in force. 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 telematic system for the submission of project proposals and all related documentation through the public telecommunications network.

In light of the appropriate timeframe 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 telematic 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 telematic 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.

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 telematic 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/nuovo-mercato-sangiovanni/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](mailto: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 recognising any additional compensation in their favour. 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) will be translated into English, similarly it will be possible to make FAQs in English. FAQs received in English will be answered in English.

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

### 3.19) REGISTRATION

To participate, the participant must log into to the competition website at the following address: <https://www.concorsiawn.it/nuovo-mercato-san-giovanni/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 online form, and upload the projects and the duly encrypted administrative documentation relating to the 1st stage of the competition where required. When all the information has been compiled, participants must press the "Submit registration" button within the indicated day and time.

**Attention:** to 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 transmitted data and documentation. This notice shall function as a confirmation of correct registration.

## 4 STAGE 1 OF THE COMPETITION DEL CONCORSO

Participants must electronically submit the following documentation:

- > one single file in PDF format, no larger than 20 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):

- **4 tables** in A2 format as per attached facsimile - free representational technique in black and white and/or colour - print on one side only, containing the following elements:
  - Table 1: must contain a plan on a scale of 1:500 illustrating the general choices proposed in the project, including indications on the accessibility of the spaces and the integration of new public spaces (planimetric diagrams of concepts, plans and sections); adequate drawings (diagrams or images) explaining the functional and distributive choices in relation to the system of external spaces and the relationship with the existing surroundings.
  - Table 2: free layout, containing visualisations, details and drawings illustrating the architectural proposal.
  - Table 3: must contain a 1:1000 scale plan showing the possible area proposed by the designer to temporarily displace the existing market.
  - Table 4: explanatory and technical report of no more than 5,000 characters illustrating the guiding criteria with the support of schemes and images and explaining the design choices in relation to the theme and objectives set out in the Call for proposals and in relation to the characteristics of the intervention.

**The abovementioned 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 recognisable 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 4.2) exclusion from the competition

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

- a) **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;
- b) **ANNEX B:** "Protocol of Integrity" of the City of Rome, approved by resolution of the Capitoline 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;
- c) 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.
- d) In the case of declarations signed with handwritten signature: VALID IDENTITY DOCUMENT OF THE SIGNOR;
- e) 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.
- f) 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 consortium 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 abovementioned 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 abovementioned 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, 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 6: RCB);
- the tax code (field 11: 456T);
- the description of the payment (field 12: 'Stamp duty - CIG No.....

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

#### 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://www.concorsiawn.it/nuovo-mercato-sangiovanni/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.

#### 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 mandatory fields marked with an asterisk on the online 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**

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 online 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, and after the deadline for participation in the competition proceedings in question.

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

- One executive from Roma Capitale, with the role of Chair, appointed through the Centrale Unica Acquisti di Beni e Servizi di Roma Capitale. The latter shall also provide the name of the alternate member.
- An expert in the design of public and commercial buildings (Markets, Shopping Centres, etc.), with experience in the evaluation and assessment of projects, appointed by the University "La Sapienza". The University will provide three names to match the indicated profile. The contracting authority will then proceed by drawing lots, appointing the first name extracted to member of the board and the second name to alternate member.
- An expert in material technology and environmental sustainability, with experience in the field of project evaluation and assessment, appointed by the University of "Roma 3". The University will provide three names to match the indicated profile. The contracting authority will then proceed by drawing lots, appointing the first name extracted to member of the board and the second name to alternate member.
- An expert in the field of economics related to new systems of commerce appointed by the "Tor Vergata" University. The University will provide three names to match the indicated the profile. The contracting authority will then draw lots, appointing the first extracted name to member of the committee and the second extracted name to alternate member.
- A designer with consolidated experience in the field of design and design competitions, appointed by the C.N.A.P.C. (National Council of Architects, Landscape Architects, Planners and Conservators). 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 to member of the board and the second name to 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 telematic 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 judgement.

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.

Specifically, and in accordance with art. 155 of Italian Legislative Decree 50/2016, the board shall perform the following operations:

- 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 will express its evaluation 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:

- **P1\_Value of the intervention in the specific context, accessibility and connections:** the local market as an element within the urban space, its relations with the context, connections with the system and accessibility to the road network to further logistic operations, **weight =40**
- **P2\_The market:** experimentation of distribution-typological schemes, market openness and accessibility, creation of gathering spaces that can also be used outside market hours, **weight =40**
- **P3\_Construction times and phases:** use of construction methods facilitating construction by phases and reducing construction times, identification of phases and areas for temporary movements that could guarantee continuity of service, and reduction of impacts on the different areas involved, **weight =20**.

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

$$K_i = A_i * P_1 + B_i * P_2 + C_i * P_3$$

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
Severly 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. 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.

The overall score must exceed the minimum threshold of 40 points.

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.

The minutes of the board's confidential assessment sessions shall be stored by the RUP.

## 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 40MB, containing the graphic tables 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 16,000 characters including spaces inclusive of the following elements:
  - explanation of the reasons for the proposed solution and justification of the urban and architectural choices made in the project;
  - general description of the design solution from a functional point of view;
  - characterisation of the project from the point of view of its insertion into the context of reference and its relation with the surrounding urban fabric;
  - accessibility and relations with the urban context;
  - use, ease and cost-effectiveness of maintenance and management of project solutions in relation to construction times also by means of comparative diagrams (time schedule, graphs, etc..), showing to which extent the incidence of the chosen design and construction choices affects the reduction of construction times compared to the use of other choices;
  - general report on the economic and financial aspects of the project, overall calculation of expenditure.
- **n.6 Graphic tables** - A1 format - free representative technique in black and white or colour; printed on one side only and containing the following elements:
  - Table 1: general plan of the project on a scale of 1:500, ground plan

indicating the relations between internal and external spaces, accessibility and ways of integration with the public system, profiles/sections, images of the context, if any.

- Table 2: general plan of the Market at market area level in 1:200 scale, profiles and sections, which illustrate the distribution and type of system and the ways of interpretation of the program.
- Tables 3 - 4: detailed plan excerpts of the project in 1:100 scale, elevations and sections that illustrate the distribution and type of system and the ways of interpretation of the functional program.
- Table 5: perspective or axonometric views showing the proposed solution.
- Table 6: some construction details and/or specifications of the technical solutions adopted (at whatever scale of detail is considered most suitable to this end).

**NB:** for a more detailed representation of the urban context and accessibility system, a survey of project area elevations shall be provided in Phase 2.

**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 2nd stage at the top right of each table, maintaining the position and characters identical to the facsimile.**

All documentation containing any kind of recognisable elements (such as titles, logos, mottos, 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://www.concorsiawn.it/nuovo-mercato-sangiovanni/quesiti> and within the deadline indicated in the timetable of this call.

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

The answers to the questions shall become an integral part of the 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:

- > **P1\_ Value of the intervention in the urban context:** the market as a public and commercial gathering space for the community, connections to pedestrian routes and public mobility systems, weight =20
- > **P2\_The market:** distribution and typological experimentation, multi-purpose and multi-functional spaces, **weight =30**
- > **P3\_Continuity Accessibility and quality of spaces between internal**

**and external areas:** openness and practicability of the market, quality and accessibility of community spaces also outside market hours, **weight=20**

- > **P4\_Accessibility mobility and connections:** mobility system (cycling, LPT stops in view of the new square system), **weight =10**
- > **P5\_Technology and implementation time:** quality of construction solutions, use of construction and plant engineering technologies considering the impacts on the area during construction, sustainability and use of renewable energy to encourage the use of solutions that ensure a reduction in construction time, adequacy and sustainability of the maintenance and management phases of the intervention, **weight =20.**

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:

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

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
<b>excellent =</b>	<b>0,81</b>	<b>1</b>
<b>Good =</b>	<b>0,61</b>	<b>0,8</b>
<b>Fair =</b>	<b>0,51</b>	<b>0,6</b>
<b>Sufficient=</b>	<b>0,41</b>	<b>0,5</b>
<b>Mediocre=</b>	<b>0,01</b>	<b>0,4</b>
<b>Severly insufficient=</b>	<b>0</b>	

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 included in the final selection.

The entire evaluation procedure will be recorded in a dedicated report.

### 5.6) PRIZES

The competition will come to an end with a merit ranking and the awarding of the following prizes:

**Prize/compensation for 1st place:** € 42,000.00 plus applicable social security contributions and VAT

**Reimbursement for 2nd place:** € 6,000.00 plus applicable social security contributions and VAT,

**Reimbursement for 3rd place:** € 6,000.00 plus applicable social security contributions and VAT,

**Reimbursement for 4th place:** € 6,000.00 plus applicable social security contributions and VAT,

**Reimbursement for 5th place:** € 6,000.00 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 shall 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 favour 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 fulfil 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 the Municipality of Rome 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 admitted and excluded candidates);

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 point 3.5**, 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 point 3.5 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 in the project.

In order to prove that he/she can fulfil 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, between 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 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 fulfil 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 reasons 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 abovementioned project.

At the end of the abovementioned 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

Within **30 days** from the announcement, the winner of the competition will have to complete the study of the competition documentation and reach the stage of technical and economic feasibility, according to Italian Presidential Decree 207/2010, Art.17 to Art.23.

In accordance with Art. 154 paragraph 4 of the Code, the winner will be entrusted with the subsequent project stages (final and executive) if he/she possesses the necessary requirements.

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 company shall bind the latter, under penalty of termination of the contract, to fully respect the amount allocated for the project in this Call for proposals 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 authorisation 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 authorisations 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 professional fee, which must be determined in accordance with the Ministerial Decree of 17 June 2016, as per the attached analytical calculation, less expenses and ancillary charges not exceeding 25.00% of the professional remuneration, as a discount for the public administration, **is summarised below:**

- **Final design project for “the New Neighbourhood Market - San Giovanni di Dio” total amount € 156,500.00** excluding VAT and applicable social security contributions;
- **Executive design project for “the New Neighbourhood Market - San Giovanni di Dio” total amount € 134,000.00** excluding VAT and applicable social security contributions;

The enterprise 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 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 abovementioned policies prior to the formalisation 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, citing the names of the authors and collaborators, and to present an excerpt of them in the competition catalogue 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) PERSONAL DATA PROCESSING PURSUANT TO ART. 13 OF ITALIAN LEGISLATIVE DECREE NO. 196/2003

The data collected will be processed by computer and other means, exclusively within the context of the competition governed by these Competition Rules, in accordance with the provisions of REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free circulation of such data, which repeals Directive 95/46/EC (general regulation on data protection) as adapted by Italian Legislative Decree no. 101 of 10 August 2018 which amends Italian Legislative Decree no. 196/2003.

### 7.2) PUBLICATION OF THE CALL

Pursuant to art. 72 of Italian Legislative Decree no. 50 of 18.04.2016 and the provisions set out in Ministerial Decree no. 02.12.2016 of the 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 Gazzetta Ufficiale della Repubblica Italiana;
- on the Official Journal of the Italian Republic (GUCE)
- on the client profile
- on the ANAC website
- on the MIT website
- on the municipal notice board
- on the CNA's digital platform
- on 2 national newspapers
- on 2 local newspapers

**The costs relating to the publication** of the call and of the notification of the results of the award procedure, excluding the costs of the advertising agency, pursuant to Art. 216, paragraph 11 of the Code and the Italian Ministerial Decree of 2 December 2016 (OJ 25.1.2017 no. 20), shall be borne by the winning participants and shall be reimbursed to the contracting authority within 60 days of assignment 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) SETTLEMENT OF DISPUTES

For any disputes arising from the contract, the Court of Rome shall have full jurisdiction, with the express exclusion of arbitration.

