**REQUEST FOR BID**

**DIRECT AWARD PURSUANT TO ART. 50, PARAGRAPH 1, LETTER B) OF LEGISLATIVE DECREE NO. 36/2023**

**FOR \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**SUBJECT**: Request for Bid for the award of the supply/service of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Estimated amount of the procurement: € \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ excluding VAT

**[if applicable**: of which charges for interference risks/safety costs not subject to reduction valued at € \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**]**

Contracting Authority: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of INFN

## **FOREWORD**

This procedure is carried out in accordance with and in consideration of:

* Legislative Decree No. 36 of 31 March 2023 Public Contracts Code in implementation of [article 1 of Law No. 78 of 21 June 2022](https://www.bosettiegatti.eu/info/norme/statali/2022_0078.htm#_beginning), delegating the Government in the field of public contracts (G.U. no. 77 of 31 March 2023 - S.O. no. 12) as amended, as updated by Legislative Decree no. 209/2024 on 'Supplementary and corrective provisions to the Public Contracts Code, pursuant to Legislative Decree no. 36 of 31 March 2023';
* Law No. 3 of 16 January 2003, concerning ‘Ordinances in the field of public administration’ and, in particular, Article 11(2-bis), pursuant to which ‘Administrative acts, including those of a regulatory nature, adopted by the Administrations referred to in Article 1(2), of Legislative Decree No. 165 of 30 March 2001, which provide for public financing or authorise the execution of public investment projects, are null and void in the absence of the corresponding codes referred to in paragraph 1, which constitute an essential element of the act’;

## **TENDER DOCUMENTATION**

The tender documents include:

* + 1. This request for bid;
    2. Technical specifications (or quotation);
    3. Administrative declarations;
    4. Proposed contract conditions;
    5. Integrity Pact;
    6. ESPD **(for direct awards exceeding €40k)**
    7. Electronic tender specifications **(in case of outside MEPA on NOVAPA);**
    8. **[Other:** \_\_\_\_\_\_\_\_\_\_\_**\_ [indicate any other annexes, e.g. template/schedule for submitting the bid/price list/economic detail, and in case of application of the social clause the list of personnel to be reabsorbed].**

The tender documents are available in electronic format on the Contracting Authority's profile at [https://www.ac.infn.it](https://www.ac.infn.it/), and on the platform **(insert only the one used for the tender)**

* NovaPA at <https://app.albofornitori.it/alboeproc/albo_infneproc>

(by accessing the 'List of current notices' section of the Platform used to manage the tender procedure) and selecting the relevant tender;

* Ubuy at <https://infn.ubuy.cineca.it/PortaleAppalti/it/homepage.wp>

(by accessing the 'List of current notices' section of the Platform used to manage the tender procedure) and selecting the relevant tender;

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## **SOLE PROJECT MANAGER**

Sole project manager, pursuant to art. 15, paragraph 3, of Legislative Decree no. 36/2023 as amended and supplemented. is Mr/Ms \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

tel. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ e-mail/certified e-mail \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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## **PROCUREMENT AMOUNT**

INFN will pay the awarded Economic Operator the net contractual amount. VAT in the amount required by law will be paid in accordance with the split payment provisions of Article 17 ter of Presidential Decree No. 633/1972, as amended. The payment shall be deemed to include all charges, obligations and profits and in any case suitable for the proper performance of the services covered by the contract.

Pursuant to Article 11 of the Code, the collective contract applicable to the employees employed in the contract to be awarded, in accordance with the provisions of paragraph 1 of the aforementioned Article 11, is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [indicate the national collective bargaining agreement (CCNL) to which reference is to be made]. In this regard, it is specified that the economic operator may indicate a different collective agreement in its bid, provided that it guarantees employees the same protection as that indicated by the Contracting Authority, and that it encloses a declaration of equivalence pursuant to Article 11, paragraph 4, of Legislative Decree no. 36/2023, drawn up in accordance with the criteria set out in Article 4 of Annex I.01 to Legislative Decree No. 36/2023 as amended and supplemented. In that case, the declaration shall also be verified in the manner set out in Art. 110 of Legislative Decree no. 36/2023, in accordance with Annex I.01 of the Code

## **PARTIES ELIGIBLE TO SUBMIT A BID**

The parties referred to in Article 65 of Legislative Decree No. 36/2023, which are not in one of the conditions referred to in Articles 94, paragraphs 1, 2, 5 and 6, 95, 97 [Article 97 is optional in the case of economic operators having the form of consortia referred to in paragraph 3] and 98 of Legislative Decree No. 36/2023, are allowed to submit bids.

## [IF APPLICABLE: **INSPECTION**]

An inspection is optional.

The request for an inspection must be sent to the Sole Project Manager.

The inspection may be carried out by the legal representative/legal agent/technical director having an identity document, or by a person having an identity document and an authorisation with a copy of the delegating party's identity document.

The Contracting Authority issues a certificate of completion of the inspection.

In the case of an ordinary consortium, EEIG, aggregation of network enterprises, the inspection may be carried out by the legal representative/legal agent/technical director of one of the grouped, networked or consortium economic operators or by a different person provided that they have been delegated by the agent/principal.

In the case of a consortium pursuant to Article 65(2)(b), (c) or (d) of the Civil Code, the inspection must be carried out by a person with a power of attorney conferred by the consortium or by the consortium member indicated as executor.

## **ADMINISTRATIVE AND ECONOMIC DOCUMENTATION**

Using the online platform, the economic operator must submit the following documentation signed by the Legal Representative of the Economic Operator in the manner described above:

1. This Bid Request (signed for acceptance);
2. Quotation or possible Tender Specifications signed for acceptance;
3. Economic offer;
4. Administrative declarations;
5. contractual conditions;
6. PDF file of the completed ESPD (in case of direct awards exceeding €40k);
7. Integrity Pact;
8. **[If applicable:** Certificate of inspection]

INFN - \_\_\_\_\_\_\_\_\_\_\_\_\_

The Project Manager

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Annexes:*

1. This request for bid;
2. Technical specifications (or quotation);
3. Administrative declarations;
4. Proposed contract conditions;
5. Integrity Pact;
6. ESPD **(for direct awards exceeding €40k)**
7. **[If applicable]** Electronic tender specifications **(in case of outside MEPA on NOVAPA or Ubuy);**
8. **[Other:** \_\_\_\_\_\_\_\_\_\_\_**\_ [indicate any other annexes, e.g. template/schedule for submitting the bid/price list/economic detail, and in case of application of the social clause the list of personnel to be reabsorbed].**