**DECLARATION OF HONOUR ON EXCLUSION CRITERIA**

**FOR PUBLIC PROCUREMENT AND COMMUNICATION IN ACCORDANCE WITH “LEGGE N. 136/2010”**

**(“FINANCIAL FLOWS TRACEABILITY”)**

*(To be filled out and signed by legal representative)*

The undersigned

Place of birth Date of birth

As the

For the Company

With legal headquarter in Address

VAT number (or similar for taxation purposes) \_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**hereby certify**

**PART I:**

thatthe economic operator is not in one of the situations which would exclude it from public procurement:

1. the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein have NOT been subject of a conviction by final judgement for one of the reasons listed above:

(i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;

(ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the contracting authority is located, the country in which the person is established or the country of the performance of the contract;

(iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;

(iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council;

(v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;

(vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;

(vii) Any other offence which, as a supplementary penalty, bars dealings with the public administration

1. there are no grounds for disqualification, suspension or prohibition as provided for in Article 67 of Legislative Decree No. 159/2011 (Anti-Mafia Code) or attempted mafia infiltration provided for in Article 84(4) of the same Legislative Decree No. 159/2011;
2. the economic operator is NOT bankrupt, subject to insolvency or winding up procedures, its assets are NOT being administered by a liquidator or by a court, it is NOT in an arrangement with creditors, its business activities are NOT suspended or it is NOT in any analogous situation arising from a similar procedure provided for under national legislation or regulations;
3. the economic operator has NOT breached its obligations in fields of environmental, social and labour law
4. the economic operator is NOT guilty of grave professional misconduct committed in the last three years, and has NOT engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence
5. the economic operator has NOT entered into agreements with other economic operators aimed at distorting competition
6. the economic operator has met all its obligations relative to the payment of duties, taxes or social security contributions, both in the country where it is established and in the member state of contracting authority or contracting entity, if different from the country of establishment
7. the economic operator is NOT aware of any conflict of interests related to its participation in the tender procedure of Università degli Studi di Udine
8. the economic operator or an enterprise connected to him/her has NOT provided advice to the contracting authority or contracting entity or otherwise participated in the preparation of the award procedure, and it is NOT attempting to influence the decision-making process of the contracting authority during the award procedure
9. the economic operator can confirm that it: has not been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, has not withheld such information;
10. the economic operator is NOT registered in the electronic records kept by the Observatory of the National Anti-Corruption Authority, ANAC, for having submitted false statements or false documents in order to obtain certifications, for the period during which registration is applicable

**(possible - self-cleaning)** In the event that the economic operator incurs one of the grounds for exclusion referred to in points 1 to 11 above, it may provide evidence of having adopted self-cleaning measures. You are therefore requested to complete the following section:

The Economic Operator (please tick the relevant case) falls under the exclusion cause referred to in point(s) \_\_\_\_\_ and has adopted appropriate measures to demonstrate its reliability (please attach a declaration of the measures adopted and any other useful document as proof).

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**PART II**

1. the economic operator (tick the hypothesis concerned):

* is not in breach of its obligations relating to national legislation or regulations concerning the employment of people with disabilities;
* legislation or regulations concerning the employment of people with disabilities doesn’t exist in the Country in which the Company is established,

1. the economic operator (tick the hypothesis concerned):

* commits itself to submit the report on male and female staff drawn up in compliance with national legislation or regulations improving gender equality;
* national legislation and regulations don’t provide for drawing up such report

1. the economic operator is aware that if it does not comply with the obligations set forth in points 1 and 2 above, the Contracting Authority shall apply a penalty of 1 x one thousand of the contractual amount for each day of delay and shall report the non-compliance with the obligation to the ANAC with the consequent impossibility to participate as an individual or group in further awarding procedures related to NRRP-NCP investments for a period of 12 months
2. the economic operator declares that the beneficial owner, pursuant to anti-money laundering legislation, is the following:

Name and Surname\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ born in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_ Tac Code \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ resident in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ domicile (if different from residence) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_role \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and that this beneficial owner has no conflict of interest

1. (*possible - in the case of contracts for which minimum environmental criteria (MEC) are required under Art. 57 of Leg. Decree 36/2023)* to comply with the MEC required for the product category \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as defined by Ministerial Decree \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. the Company certifies that the supply/service meets the EU GPP criteria for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ available at: https://ec.europa.eu/environment/gpp/eu\_gpp\_criteria\_en.htm, to the extent compatible with the object of the procurement, in accordance with DNSH criteria, and commits itself to provide the evidence at any time upon request.

**(alternatively)** the economic operator declares to comply with the "Do not significant harm" principle and to comply, insofar as compatible, with the DNSH constraints provided for in Technical Sheet \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the Operational Guide attached to the MEF Circular 33 of 13/10/2022, and to undertake to produce at any time the relevant supporting documentation if requested by the Contracting Authority

1. not to have employed and to undertake not to employ for the three years following the termination of the public employment relationship, personnel who in the last three years have served at the University of Udine where they have exercised authoritative and negotiating powers at the same Administration, pursuant to Article 1, paragraph 42 of Law 190/2012 "anti-corruption"
2. to have read and undertake to observe and to ensure that its employees and collaborators observe, insofar as applicable, the Code of Conduct adopted by the contracting authority available at the following link: <https://www.uniud.it/it/ateneo-uniud/normativa/codice-etico-comportamento>.
3. to acknowledge that, in the event of false declarations or false documentation, the University will notify ANAC and reserves the right to exclude the Economic Operator from the tender/selection procedure;
4. to undertake to provide on simple request within the peremptory deadline set by the University all the data and documents required for the performance of the relevant checks

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**PART III**

Also, in order to fulfil the requirements for financial flows traceability in accordance with art. 3 comma 7 of Law 136/2010 and subsequent modifications and additions

**communicates**

1. the full details of the bank account(s) “dedicated”, even if not in an exclusive way, to the financial transactions concerning public orders with the University of Udine and the name of the people authorized to operate on it (them):

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **COUNTRY** | | **CIN EU** | | **CHECK CHAR** | **NATIONAL BANK CODE** | | | | | **BRANCH NO.** | | | | | **ACCOUNT NO.** | | | | | | | | | | | |
| **IBAN** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

**SWIFT CODE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (\*)**

**Bank\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Branch \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Authorised operators**:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Surname | Name | Place of birth | Date of birth | Tax code |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

1. That this communication is valid (tick the correct box):
   * For all the business relations with the University of Udine
   * Exclusively for the supply/contract:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CIG n.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. the undersigned moreover undertakes to communicate possible variations regarding the above information.

DATE SIGNATURE[[1]](#footnote-1)to attach a copy of the identification document of the person signing the document \_\_ [--TGSMark#signature-999899281\_75\_21

1. Please attach a copy of the identity document of the person signing the document [↑](#footnote-ref-1)