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**Centro Nazionale HPC, Big Data e Quantum Computing**

**Missione 4, Componente 2, Investimento 1.4**

**Codice progetto MUR: CN\_00000013 - CUP: E63C22000980007**



 **Model C1**

 **Tender**

**ADDITIONAL STATEMENTS:**

**Substitute declarations pursuant to articles 46 and 47 of the D.P.R. 445/2000 and subsequent amendments (to be signed by the subjects indicated in note 1 of this model) for the negotiated procedure for the purchase of a "Cryogenic System for QBit cooling" for the needs of the National Center for HPC, Big Data and Quantum Computing, Mission 4, Component 2, Investment 1.4, MUR project code: CN\_00000013 - CUP: E63C22000980007**

The undersigned\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ born in\_\_\_\_\_\_\_\_\_\_\_\_\_ on\_\_\_\_\_\_\_\_\_resident in\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ street \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ number \_\_\_\_\_\_\_\_, domiciled in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(fill in if different from residence), street \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, as\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the Company (name/company name)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ aware of the penal sanctions envisaged for cases of false documents and false declarations, as well as the forfeiture of any benefits obtained as a result of the provision issued on the basis of the untruthful declaration (articles 75 and 76 of Presidential Decree 445/2000) under his own responsibility

**DECLARE (see note 2):**

 **a)**

* **a.1)** that the conditions referred to in art. 80, co. 1, lit. a), b), b-bis, c), d), e), f), fbis), fter) g) of Legislative Decree 50/2016 art. 53, co. 16, of Legislative Decree 165/2001 as amended;

**or (see note A)**

* **a.2)** to have suffered the following criminal convictions (including those for which he has benefited from non-mention):

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

**b) with regard to art. 80, paragraph 2, Legislative Decree 50/2016 and subsequent amendments:**

**🞎 b.1)** that, against him/her there is no cause for forfeiture or suspension or prohibition pursuant to art. 67 of Legislative Decree 159/2011 and subsequent amendments or an attempted mafia infiltration pursuant to art. 84, co. 4, of the same decree (without prejudice to the provisions of articles 88, paragraph 4-bis, and 92, paragraphs 2 and 3, of Legislative Decree 159/2011, with reference respectively to anti-mafia communications and anti-mafia information);

**or (see note A)**

**🞎 b.2)** that the following causes of forfeiture or suspension or prohibition pursuant to art. 67 of Legislative Decree 159/2011 and subsequent amendments or an attempted mafia infiltration pursuant to art. 84, co. 4, of the same decree (without prejudice to the provisions of articles 88, paragraph 4-bis, and 92, paragraphs 2 and 3, of Legislative Decree 159/2011, with reference respectively to anti-mafia communications and anti-mafia information):

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

Date\_\_\_\_\_\_\_\_\_\_\_\_ SIGNATURE

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Pursuant to and for the purposes of EU Regulation n.2016/679 of the European Parliament and of the Council of 27 April 2016 (on the protection of natural persons with regard to the processing of personal data, as well as on the free movement of such data and which repeals the directive 95/46/EC, the University informs that the personal, sensitive and judicial data of the interested parties are processed by the Administration in compliance with the provisions of the aforementioned regulation. Information pursuant to article 13 of EU Regulation n.2016/679: the data of the competitors are collected for the purpose of participating in the tender and will be used exclusively for this purpose and, in any case, within the institutional activities of the University of Naples Federico II, the data controller. Article 13, paragraph 2, letter b), of the aforementioned regulation. The communication of personal data is therefore necessary for the purposes of the obligations prescribed by Legislative Decree 50/2016 as amended. (by way of example, the checks ex lege on the successful tenderer and on a sample basis on the bidders) as failure to communicate them would make it impossible for the Administration to comply with the aforementioned fulfilments.

**Legend:**

**Note A)** Cross out one of the considered options**.**

 **Note (1) The declarations referred to in this model must be produced by the following subjects:**

**•** The owner and the technical director, in the case of sole proprietorships;

• the partners and the technical manager, in the case of general partnerships;

• the general partners and the technical director, in the case of limited partnerships;

• the members of the board of directors who have been granted the legal representation, including stewards and general attorneys, of the members of the bodies with management or supervisory powers in relation to which the President of the Anac he specified that *“In order to allow the application of the regulation in question, the indications contained therein must be interpreted with reference to the administration and control systems of joint-stock companies governed by the civil code following the reform introduced by Legislative Decree no. 6/2003 and precisely:*

*1) so-called system. "traditional" (regulated by articles 2380-bis and following of the Italian Civil Code), divided into a "board of directors" and a "board of statutory auditors";*

*2) so-called system. "dualistic" (regulated by articles 2409-octies and subsequent articles of the Italian Civil Code) divided into the "management board" and the "supervisory board";*

*3) so-called system. "monistic" based on the presence of a "board of directors" and a "management control committee" set up within it (art. 2409-sexiesdecies, paragraph 1, of the civil code).*

*Therefore, the existence of the requirement pursuant to art. 80, paragraph 1, of the Code must be verified by: the members of the board of directors who have been granted legal representation, in companies with a traditional and one-tier administration system (Chairman of the Board of Directors, Sole Director, managing directors even if holders of a delegation limited to certain activities but which confers powers of representation for these activities); to members of the board of statutory auditors in companies with a traditional administration system and to members of the management control committee in companies with a one-tier administration system; to members of the management board and members of the supervisory board, in companies with a dual management system”;*

• individuals with powers of representation, management or control in relation to which, with the Press Release of 10/26/2016, the President of the Anac specified that they must be understood as "subjects who, although not members of the corporate administration and control, are provided with powers of representation (such as proxies and ad negotia attorneys), of management (such as employees or professionals who have been granted significant powers of management and management of the company) or of control (such as the auditor and the Supervisory Body referred to in Article 6 of Legislative Decree No. 231/2001 which is entrusted with the task of supervising the functioning and observance of the organization and management models suitable for preventing crimes) . In the event of entrusting the accounting control to an auditing firm, the verification of possession of the requirement pursuant to art. 80, paragraph 1, must not be conducted on the members of the corporate bodies of the auditing firm, since it is a legal entity distinct from the competing economic operator to which the causes of exclusion must refer".

• the technical director or the single individual shareholder, or the majority shareholder in the case of companies with fewer than four shareholders in the case of another type of company or consortium;

• subjects who ceased from the above offices in the year preceding the date of publication of the call for tenders.

**Note (2)**

These declarations must be signed in compliance with the procedures set out in article 38, paragraph 3, of the Presidential Decree 445/2000, entering a photocopy of the subscriber's identity document into the system. It should be noted that the lack of signature and/or photocopy of the subscriber's document does not cause automatic exclusion and the bidder will be invited to remedy this irregularity within the deadline indicated by the Administration in the relevant request. If this irregularity is not remedied within the term indicated therein, the competitor will be excluded from continuing the tender.