

ATTACHMENT C

Requirements of good conduct:

1. that the individual participant, consortium or any one of the enterprises participating in the group has not filed for bankruptcy, compulsory liquidation or arrangement with creditors, with the exception of the case referred to in Article 186-bis of the Royal Decree of 16th March 1942, No. 267, nor is there a proceeding in progress against them to declare one of these situations;
2. that against the individual participant, consortium or any one of the enterprises participating in the group there is no pending proceeding to apply one of the preventive measures referred to in Article 6 of the Legislative Decree of 6th September 2011, No. 159 or one of the prohibitive conditions envisaged by Article 67 of same Legislative Decree (taking into account pending proceedings on the matter regarding the owner or technical director, in the case of an individual business; the partners or technical director in the case of a general partnership company, the full partners or technical director in the case of a limited partnership company, managing directors with powers of representation or the technical director or the single-natural person shareholder or the majority shareholder in the case of a company with less than four shareholders, in the case of another type of company);
3. that against the individual participant, consortium or any one of the enterprises participating in the group no adverse judgement which has become res judicata, nor any irrevocable conviction for any criminal offence, nor any judgment imposing the penalty requested has been passed, pursuant to Article 444 of the Code of Criminal Procedure, for serious crimes against the State or the Community which influence professional morality (taking into account the judgment or decree on the matter issued against: the owner or technical director, in the case of an individual business; the partners or technical director in the case of a general partnership company, the full partners or technical director in the case of a limited partnership company, the managing directors with powers of representation or the technical director or the single-natural person shareholder, or the majority shareholder in the case of a company with less than four shareholders, in the case of another type of company; also taking into account the judgments or decrees issued against previous office holders during the year prior to the date of publication of this notice of invitation to tender, should the enterprise not prove its complete and effective dissociation from the prosecution for criminal conduct.
4. that the individual participant, consortium or any one of the enterprises participating in the group has not infringed the ban on fiduciary entrustment as stated in Article 17 of the Law of 19th March 1990, No. 55 (the details in this regard state that individuals who have received a definitive sentence on the infringement less than a year ago are excluded and that same individuals will, in any case, be excluded if the infringement has not been remedied);
5. that the individual participant, consortium or any one of the enterprises participating in the group has not committed any serious, duly ascertained breach as regards safety and any other commitment arising from work relationships, according to the data of the Observatory for public contracts concerning works, services and supply;
6. that the individual participant, consortium or any one of the enterprises participating in the group has not committed any serious, definitively ascertained breach as regards obligations concerning the payment of taxes, according to Italian legislation or the legislation of the State in which they are established (to this regard, any breach is considered serious if it

involves failure to pay duties and taxes for an amount above the amount established in Article 48-bis, paragraphs 1 and 2-bis, of the Decree of the President of the Republic of 29th September 1973, No. 602 and that breaches concerning the obligation to pay statutory, expired and due tax and duty debts constitute definitively ascertained breaches);

7. that against the individual participant, consortium or any one of the enterprises participating in the group no ban has been applied, as stated in Article 9, paragraph 2, letter c), of the Legislative Decree of 8th June 2001, No. 231, or any other sanction which involves the ban to enter into a contract with public administration, including the prohibiting measures given in Article 36-bis, paragraph 1, of the Decree Law of 4th July 2006, No. 223, converted, with amendments, by the Law of 4th August 2006, No. 248;
8. that there is no registration against the individual participant, consortium or any one of the enterprises participating in the group in the Computerised Register, as stated in Article 7, paragraph 10, of the Code of public contracts for works, services and supply, for having made a false declaration or presented false documentation as regards the requirements and conditions to participate in tender procedures.