



## **CALLS FOR TENDERS**

**Call publication: July 6, 2022**

*Tender procedures for the award of public assets  
for enhancement concessions/leases  
under art. 3-bis D.L. n. 351/2001, converted into L. n. 410/2001*

**V**ALORE **P**AESE  
ITALIA

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## NOTICE

*This Guide to Calls for Tenders is an explicative and supportive tool to help applicants - who intend to participate in the public procedures launched within the framework of the Valore Paese Italia program - to read the tender documentation and, in particular, the Territorial Notices (i.e. tenders).*

*This Guide, therefore, neither adds to nor replaces the tender documentation.*

*In the event of any discrepancy between the information contained in this document and the Tender Notices - which, as previously stated, constitute the lex specialis - the information contained in the notices and their annexes will prevail, in the order set out in point 8.4 of the notices.*

*For further information and/or clarifications on the content of the tender documentation not covered in this Guide, please note that the Procedure Managers may be contacted exclusively in writing, in Italian, and within the deadlines set out in the procedures, at the e-mail addresses indicated in the territorial notices at point 1.10.*

**SECTION I: THE PROGRAM**

### 1. What the Valore Paese Italia (VPI) program consists of?

It is an enhancement program for the value of public assets, framed within the Institutional Agreement signed on December 17, 2020, by the Italian State Property Agency (*Agenzia del Demanio*), together with the old MiBACT (now MIC, Italian Ministry of Culture), ENIT (Italian Agency for Tourism) and Difesa Servizi SpA. The other members of this program are MiTur (Italian Ministry of Tourism), after the reorganization of responsibilities, and other entities, such as ANAS (Italian Highway Agency), FS (Italian State Railways), FPC (Common Heritage Foundation), the world of slow tourism and soft mobility. The agenda involves a series of activities called “Network Projects”, promoted by *Agenzia del Demanio* (Valore Paese – Dwellings, Lighthouses, Towers, Coastal Buildings, Routes, and Paths) and developed coherently with the Tourism Strategic Plan (PST) 2017-2022. The purpose is to bring together under a single brand thematic networks sharing the common goal of restoring buildings of cultural and landscape interest, following standards of sustainable tourism, which is linked to culture, sports, training, environment, and soft mobility, through the use of public-private partnership tools.

### 2. What are the purposes of the program?

The *Valore Paese Italia* program aims to give value to public heritage and the historical, artistic, and landscape beauties of the Nation. With joint actions, it proposes to strengthen the touristic and cultural offer in support of the Italian System through the ideation and realization of national circuits of excellence, which are also linked to slow and sustainable mobility; railway tourism; networks of lighthouses, towers, and coastal buildings, routes, and paths, dwellings, railway station houses, hamlets; the thematic line of astronomical and meteorological observatories, reserves and UNESCO’s natural sites and cultural landscapes, all of this to enhance the value of the public real estate. The networks involved in the system are Lighthouses, Towers and Coastal Buildings, Routes and Paths, Dwellings, Railway Station Houses, Historical and Touristic Railways.

### 3. How are the assets awarded?

As part of tenders lodged by *Agenzia del Demanio*, under art.3-bis of Legislative Decree no. 351/2001, converted into Law no. 410/2001, properties are awarded for concession/lease to leading private operators – selected through public procedures and meeting appropriate economic, financial and technical-organizational requirements. The right to use the properties is binding for economic purposes and a period proportionate to the fulfillment of the economic-financial balance of the investment plan and the corresponding management, and in any case not exceeding 50 years. The grant is awarded in return for requalification, functional reconfiguration, and ordinary and extraordinary maintenance of the properties. The concession/leasing fee is determined according to market values, taking into account both the investment required for the requalification and reconfiguration of the properties and the low initial profitability of their management.

### 4. For the 2022 edition, how will the program be implemented?

*Agenzia del Demanio* launches and manages calls for tenders at a territorial level with notices published by the individual Territorial Directorates for the granting of state properties under their jurisdiction (i.e., located within their area of competence) in concession/lease for enhancement, under art. 3-bis of Legislative Decree no. 351/2001.

All tender notices are available on the Agency’s website, via the following path *Gare e Aste/Immobiliare* (Tenders and Auctions/Real Estate), as well as in the section dedicated to the *Valore Paese Italia* program.

### 5. What is the difference between a concession and a lease?

The difference between concession and lease depends on the legal nature of properties.

In particular, under Legislative Decree no. 42/2004 assets of cultural interest are subject to concession; whereas, assets that are not of cultural interest are leased.

### 6. Where can I find information and documentation on the program?

It is possible to consult the web page of the Agency’s institutional website in the section dedicated to the *Valore Paese Italia* program.

### 7. Are other owning/managing public bodies involved in the program?

Yes, public authorities also participate in the program by launching tendering procedures for their properties.

### 8. How can I get more information on assets owned/managed by other public bodies?

The *Valore Paese Italia* program also includes several enhancement activities promoted by Difesa Servizi S.p.A, ANAS, and FS, in their role as public property managers. For their implementation different awarding procedures can be identified, also depending on the specific tools available to the participating Entities in charge of managing

their properties. Tender procedures of such properties and related deadlines are regulated directly by the managing Entity; therefore, for any information or further details, please contact the above-mentioned Public Entities.

For any properties belonging to other Public Authorities (Municipalities, Regions, etc.) that participate in the *Valore Paese Italia* program, tender procedures and related deadlines are regulated directly by the Authority; therefore, for any information or further details, please contact the above-mentioned Public Entities.

**SECTION II: TENDER NOTICES**

1. How many tender procedures have been launched by the Territorial Directorates of *Agenzia del Demanio* for enhancement concession/lease?

The Territorial Directorates of *Agenzia del Demanio* that have launched tender procedures for enhancement concession/lease of State properties are:

- **Calabria**
- **Tuscany and Umbria**
- **Veneto**

All tender notices are available on the Agency's website, via the following path *Gare e Aste/Immobiliare* (Tenders and Auctions/Real Estate), as well as in the section dedicated to the *Valore Paese Italia* program.

2. What is the tender documentation required?

The tender documentation consists of:

- Tender Notice
- Annex A – Privacy Policy under art. 13 of EU Regulation 2016/679;
- Annex I – Assets sheets
- Annex II – Application form
- Annex III – Declaration of Awareness of Site Conditions
- Annex IV – Substitute Declaration of Certification
- Annex V – Declaration of Commitment
- Annex VI – Project Proposal
- Annex VII – Time-Economic Offer
- Annex VIII – Economic-Financial Plan (EFP) Template
- Annex IX – Detailed Sheet of Costs, Revenues, Investments
- Annex X – Draft Concession Deed
- Annex XI – Draft Lease Contract
- *Information Memorandum* with attachments (including Certificate of Urban Destination, signed Memorandum of Understanding, assessment of cultural interest, possible concession authorization).

3. Which assets are included in the tender notices published by *Agenzia del Demanio*?

For each regional tender notice published on the *Agenzia del Demanio*'s website, please find below the corresponding lots (single assets), subject to enhancement concession/lease:

| Notice | Tender Procedure (Territorial Directorates) | Lot No.  | Asset Denomination               | Region   | Province        | Municipality        | PM                    | Contact Persons for on-site inspection |
|--------|---|----------|----------------------------------|----------|-----------------|---------------------|-----------------------|--|
| 1      | CALABRIA                                    | Only One | Ex Sede della Guardia di Finanza | Calabria | Reggio Calabria | Bova Marina         | Daniel Condello       | Salvatore Barilla'                     |
| 2      | TUSCANY AND UMBRIA                          | 1        | Forte Pozzarello                 | Toscana  | Grosseto        | Monte Argentario    | Tiziana Toniutti      | Marco Mariotti                         |
|        |   | 2        | Villa Alle Volte Chigi           |          | Siena           | Siena               |                       | Martina Falciani                       |
| 3      | VENETO                                      | 1        | Ex Casello Rocolo                | Veneto   | Belluno         | Pieve di Cadore     | Nicola Luigi Garofalo | Nicola Luigi Garofalo                  |
|        |   | 2        | Ex Casello Ronchi                |          |                 |                     |                       |  |
|        |   | 3        | Stazione Sottocastello           |          | Rovigo          | Ariano nel Polesine |                       |  |
|        |   | 4        | Casello Bacucco sul Po           |          |                 |                     |                       |  |
|        |   | 5        | Villino Rossi                    |          | Vicenza         | Schio               |                       |  |

4. Which are the properties subject to enhancement concessions and which ones will be awarded enhancement leases?

| Notice | Tender Procedure (Territorial Directorates) | Lot No.  | Asset Denomination               | Region   | Province        | Municipality        | Enhancement Tool  |
|--------|---|----------|----------------------------------|----------|-----------------|---------------------|---|
| 1      | CALABRIA                                    | Only One | Ex Sede della Guardia di Finanza | Calabria | Reggio Calabria | Bova Marina         | <i>Enhancement concession/lease<br/>under art. 3-bis of Legislative Decree no. 351/2001</i> |
| 2      | TUSCANY AND UMBRIA                          | 1        | Forte Pozzarello                 | Toscana  | Grosseto        | Monte Argentario    |   |
|        |   | 2        | Villa Alle Volte Chigi           |          | Siena           | Siena               |   |
| 3      | VENETO                                      | 1        | Ex Casello Roccolo               | Veneto   | Belluno         | Pieve di Cadore     |   |
|        |   | 2        | Ex Casello Ronchi                |          |                 |                     |   |
|        |   | 3        | Stazione Sottocastello           |          |                 |                     |   |
|        |   | 4        | Casello Bacucco sul Po           |          | Rovigo          | Ariano nel Polesine |   |
|        |   | 5        | Villino Rossi                    |          | Vicenza         | Schio               |   |

5. Where can I find information on the properties?

On the *Agenzia del Demanio's* website, Annex I – *Technical Data Sheet* describing the lot/property and the *Information Memorandum* are available among the tender documentation for each lot.

6. What is the *Information Memorandum*?

It is a tender document that provides an informative framework and a general overview of the reference territorial and regulatory context for each property subject to the call for tenders for the enhancement concession/lease. It is useful for the formulation of the Technical Offer that shall be submitted for participation in the tender, focusing in particular on the new functions and methods of intervention allowed and always in compliance with the historical-artistic and environmental protection measures, as well as the urban and territorial planning tools in force.

7. Can I ask the Procedure Manager for any additional information and/or clarification on the content of the documentation?

Yes, any requests for further information and/or clarification on the content of the documentation relating to the tender procedures must be sent, exclusively in written form and in Italian, to the e-mail address of the Procedure Managers indicated in the regional notices and listed below:

| TENDER PROCEDURE (TERRITORIAL DIRECTORATES) | PM                    | E-MAIL ADDRESS                         |
|---|-----------------------|--|
| CALABRIA                                    | Daniel Condello       | daniel.condello@agenziademanio.it      |
| TUSCANY AND UMBRIA                          | Tiziana Toniutti      | tiziana.toniutti@agenziademanio.it     |
| VENETO                                      | Nicola Luigi Garofalo | nicolaluigi.garofalo@agenziademanio.it |

8. By what deadline have requests to be submitted to the Procedure Manager?

Any requests for further information and/or clarification on the content of the documentation must be submitted by the deadline of **November 21, 2022**.

9. How long does the Procedure Manager have to answer requests?

From tenderers by **November 28, 2022**The Procedure Manager will reply by e-mail to all questions received.

**SECTION III: IDENTIFICATION OF ASSETS SUBJECT TO CONCESSION/LEASE**

1. Do I need to indicate a specific asset to participate in the regional procedure?

The submitted application to participate in the territorial tendering procedure must relate to a specific asset (lot). In the event of participation for several lots, please refer to questions 3 and 4.

2. Are there any limits to participation in regional tenders?

No, competitors may also take part in all territorial tendering procedures launched.

3. How many properties can I apply for in the same regional tender procedure?

There are no limits to the submission of applications; therefore, each participant may submit as many proposals as the total number of lots in the territorial call for tenders.

For example, if a bidder is interested in the two properties/lots of the tender notice published by the Veneto Territorial Directorate, he/she must apply for each property/lot, along with a project proposal and a time-economic offer.

4. If I apply for more than one lot in the same regional tender, how should I submit my bid?

In the event of participation in more than one lot of the same regional tender, the tenderer must submit a single parcel containing, under penalty of exclusion:

- one ENVELOPE marked “A – Administrative documentation”;
- as many ENVELOPES marked “B – Project Proposal – Lot.....” (indicating the lot to which the offer relates), as many as the lots in which the tenderer will participate (e.g. if the tenderer participates in two lots, two separate envelopes B must be inserted, one containing the *Project Proposal* for lot X and the other for lot Y);
- as many ENVELOPES marked “C – Time-Economic Offer – Lot.....” (indicating the lot to which the offer relates), as many as the lots in which the tenderer will participate (e.g. if the tenderer participates in two lots, two separate envelopes B must be inserted, one containing the *Time-Economic Offer* for lot X and the other for lot Y).

5. Are there any limits to the submission of bids?

Yes, there are limits to participation in groups.

To this end, please note that within each lot, it is forbidden:

- for competitors to participate in more than one group or consortium;
- for competitors to also participate individually in case of participation in an associated form;
- for consortium members for which a consortium of cooperative societies or handicraft businesses applies, and for consortium members for which a stable consortium may apply, to participate in any other form. In the event of non-compliance with such prohibition, both the consortium and the consortium members will be excluded from the procedure and Article 353 of the Criminal Code will apply.

6. If the properties of interest are listed in tender notices published by different Territorial Directorates, can I submit a single application with bids for each property?

No, each Territorial Directorate manages the public tender procedure for the properties under its jurisdiction; therefore, if the properties of interest are lots included in tender notices published by different Territorial Directorates, as many applications and related bids as the Territorial Directorates awarding contracts must be submitted.

For instance, if a bidder is interested in three properties, two located in Veneto and one in Tuscany, he/she shall submit:

- an application to participate in the tender procedure launched by the Veneto Directorate, containing for each property the corresponding bids (*Project Proposal* and *Time-Economic Offer*);
- an application to participate in the tender procedure launched by the Tuscany Directorate, containing the corresponding bids for the single property (*Project Proposal* and *Time-Economic Offer*).

7. Is it possible to schedule a meeting for further clarification?

No, as stated in the Tender Notice, it is possible to contact by e-mail the Procedure Manager to ask for information about the tender, in written form and Italian (see contacts on the Tender Notice) by **November 21, 2022**.

By **November 28, 2022** the Procedure Manager will reply by e-mail to all questions received from tenderers.

#### 8. Can I visit the properties?

Yes, to participate in the procedure, it is mandatory to either:

- carry out an on-site inspection of the property of interest;

*or*

- submit a declaration of awareness of site conditions.

#### 9. If properties are in a poor/very poor state of maintenance, is it still possible to schedule an on-site inspection?

Yes, the methods and timing of inspection are commensurate with the condition of the property.

In any case, those interested in the inspection are required to use safety equipment and to sign a declaration indemnifying *Agenzia del Demanio* from any civil or criminal liability and for any damage that the participant may suffer during the inspection.

#### 10. How do I book an inspection?

It is possible to book the inspection(s) by contacting the contact person designated for each Territorial Directorate – if different from the PM - in written form and Italian. The request must be submitted by e-mail to the e-mail address indicated in point 1.10 of the Tender Notice. In the request for inspection, the potential tenderer must specify – by indicating the number of the lot(s) – the asset(s) they intend to visit, as well as the names, personal details, and telephone numbers of the people who wish to take part in the visit.

Given the provisions on the prevention and containment of Covid-19 infection, updates and clarifications on how the inspections will be carried out may be communicated during the course of the tender.

#### 11. What are the deadlines for booking the inspection(s)?

Requests for inspection(s) may be submitted from **July 14, 2022**, until **November 14, 2022**, as specified in the Tender Notice.

#### 12. What is the deadline for conducting the inspection(s)?

Inspection(s) may be carried out from **July 21, 2022**, until **November 18, 2022**, as specified in the Tender Notice.

#### 13. What is the On-Site Inspection Certificate?

The On-Site Inspection Certificate is a document issued by the competent Territorial Directorate to the participant, following a tour to the building(s). A copy of the Certificate, duly signed by the competitor, is kept at the competent Territorial Directorate.

For participation in the tender, this certificate must be submitted by the tenderer, together with the other documents required.

#### 14. Is participation in the tender precluded if the inspection is not carried out within the deadline?

To participate in the procedure, it is mandatory to certify the knowledge of assets.

Such certification may be submitted in two ways, i.e. by inserting in envelope A either:

- an On-Site Inspection Certificate issued following a tour to the property arranged with the competent Territorial Contact of *Agenzia del Demanio*;
- or a Declaration of Awareness of Site Conditions, by filling in the form Annex III.

The knowledge of site conditions, therefore, is up to the participant and can be either a personal knowledge of the property or the examination, analysis, and acceptance of the documentation made available.

If an on-site inspection with the Contacts of *Agenzia del Demanio* has not been carried out, however, it is possible to certify knowledge of the property by filling in Annex III and inserting it in envelope A.

#### 15. Can I ask for further technical documentation on the assets currently being tendered?

All the tender documentation, together with the existing technical documentation, is available on the institutional website of the Agency, through the path *Gare e Aste/Immobiliare* (Tenders and Auctions/Real Estate) and is also displayed at the competent Territorial Directorate.

In particular, the *Information Memorandum* contains the technical details of each property (LOT) and the reference context, the binding situation (constraints, MiC authorizations, etc.) and the administrative process, as well as the

new potential uses and the opportunities offered on a territorial scale to support the initiative. It is understood that the recovery of the asset and the management of the new activity are the responsibility of whoever is awarded the property.

16. Are social activities contemplated as a new function of cultural and social animation and service to local communities?

Yes, given the indications of the territorial and urban planning and protection instruments in force, it will be possible to foresee a range of new functions in line with the principles of the program, from which, therefore, the settlement of cultural and social functions will not be excluded.

The program also focuses on the development of complementary specialized services for users with specific needs (i.e., children, elderly, disabled, etc.) and personal services.

17. For instance, which new functions might be implemented in the awarded properties?

To promote the knowledge, enhancement and development of local areas and excellences, given the indications of the instruments of territorial and urban planning and protection in force, it will be possible to foresee a range of new functions in line with the principles of the program, for example hospitality and cultural activities (art and entertainment, education and training, etc.); social leisure activities (free time, leisure activities, etc.); sports (diving, sailing, fishing, cycling, hiking, yoga, etc.); events (meetings, fashion, festivals, concerts, weddings, etc.); care and wellness (physiotherapy, wellness, meditation, rehabilitation, accommodation for the elderly and activities for people with disabilities) research and education (study centres, flora, fauna and star observation, etc.); catering and food and wine industry; discovery of the territory (land and sea excursions, guided tours, involvement of guests in activities and projects for the preservation of the natural and coastal habitat, the promotion of architectural, cultural, landscape, material and immaterial, local heritage, etc.).

**SECTION IV: ELIGIBLE APPLICANTS**

1. [Who can participate in the call for tenders for the award of enhancement concessions?](#)

Participation is open to anyone who meets the requirements to be proven by submitting the administrative documentation provided for the Tender Notice. This includes, but is not limited to, the following: individuals, sole proprietorship; commercial companies; cooperative societies; associations; foundations; ordinary consortia of competitors under art. 2602 of the Italian Civil Code, whether established or being established; stable consortia also established in the form of consortium companies under art. 2615-ter of the Italian Civil Code; consortia of production and work cooperatives established under Law no. 422 of June 25, 1909, and Legislative Decree no. 1577 of the Provisional Head of State of December 14, 1947, consortia of handicraft businesses under Law no. 443 of August 8, 1985.

Participation is permitted individually or in groups.

2. [Is the call for tenders for the award of enhancement concessions open to natural persons who are not residents in Italy?](#)

Yes, there are no restrictions, and people who are not residents in Italy may also participate. Please note that in any case the application form and all attachments must be drawn up in Italian and the administrative documents must be supported by a sworn translation in Italian.

3. [Is the call for tenders for the award of enhancement concessions also open to individuals who are not Italian citizens?](#)

Yes, there are no restrictions, and individuals who are not Italian citizens may also participate. Please note that in any case the application form and all attachments must be drawn up in Italian and the administrative documents must be supported by a sworn translation in Italian.

4. [Is the call for tenders for the award of enhancement concessions open to legal persons not having their registered office in Italy?](#)

Yes, there are no restrictions and legal persons not having their registered office in Italy may also participate. Please note that in any case the application form and all attachments must be drawn up in Italian and the administrative documents must be supported by a sworn translation in Italian.

**SECTION V: TERMS AND CONDITIONS FOR BID SUBMISSIONS**

### 1. How shall bids be submitted?

Tenders must be submitted (mailed or delivered by hand) to the address indicated in the Tender Notice by the deadline of **December 5, 2022, at noon – 12:00 PM**, in a sealed parcel that cannot be opened without leaving obvious tampering.

Three separate sealed envelopes must be placed inside the parcel, under penalty of exclusion:

- one ENVELOPE marked “A – *Administrative documentation*”;
- as many ENVELOPES marked “B – *Project Proposal – Lot.....*” (indicating the lot to which the offer relates), as the lots in which the tenderer will participate;
- as many ENVELOPES marked “C – *Time-Economic Offer – Lot.....*” (indicating the lot to which the offer relates), as the lots in which the tenderer will participate.

All envelopes must be sealed and also bear the name of the sender.

Parcels received after the deadline will be ignored. They will not be opened and may be returned to the sender upon written request.

Tenders submitted by e-mail will not be taken into account.

### 2. Can tender documentation be drawn up in a foreign language?

No, submission in a foreign language is not enough to validate the application.

Competitors must provide and present:

- a sworn translation into Italian of the documentation in Envelope A;
- a simple translation into Italian for all other documentation, given that, even in this case, the Commission will only take into account what is stated in the translation.

### 3. What must Envelope A contain?

**ENVELOPE A “Administrative documentation”** must contain the following documentation, to be submitted as described in the Tender Notice:

- the Application Form (**Annex II**);
- the On-Site Inspection Certificate issued during the inspection (one for each lot chosen) or a Declaration of Awareness of Site Conditions (**Annex III**);
- a Substitute Declaration of Certification, in which the competitor declares (**Annex IV**):
  - not to be in the situations of exclusion under art. 80 of Legislative Decree no. 50/2016;
  - to accept the contents of the tender documentation including Annex A Privacy Policy, to be included in envelope A, duly signed;
- a credit reference issued by a credit institution;
- a Declaration of Commitment to employing only qualified companies for carrying out the activities, in line with the current regulations on Public Works (**Annex V**);
- a provisional deposit of € 2,000 (two thousand euros).

### 4. Are there any particular formalities for the submission of Envelope A in the event of participation as a Temporary Regrouping (RT) or Consortium?

Yes, Tender Notices provide for additional formalities about the submission of applications by Temporary Regroupings (RT), Ordinary Consortia, and Stable Consortia/Consortia of Cooperatives. Therefore, please read carefully point 4.3.1 of the Tender Notices.

### 5. What is the purpose of the provisional deposit?

The provisional deposit guarantees proper participation in the tender and also ensures the non-signing of the concession deed/leasing contract by the successful tenderer.

Please note that the provisional deposit must be paid only once, no matter the number of lots for which tenderers apply and that it may be released in full for each lot.

For State properties, it is set at € 2,000.00.

6. How must the provisional deposit be provided?

The provisional deposit may be lodged by bank guarantee or an insurance policy, bank draft, or transfer, as preferred by the tenderer. For further details, please read point 4.3.1 (f) of the Tender Notices.

7. Is a bank guarantee issued by a foreign bank permissible?

Yes.

8. Can provisional or permanent deposits be provided by bank draft?

Yes, tenderers may lodge provisional or permanent deposits by bank drafts, even from foreign credit institutions, as long as they can be cashed at any branch of the same bank in Italy.

9. If the contract is awarded, is the provisional deposit discharged?

Yes, in the case of award, the deposit is discharged when the deed/contract is signed.

10. If no contract is awarded, is the provisional deposit discharged?

Yes, in case of no award, the provisional deposit is discharged.

11. What must Envelope B contain?

**ENVELOPE B “Project Proposal – Lot.....”** must contain the following documentation, to be submitted as described in the Tender Notice:

a) the Technical-Illustrative Report (**Annex VI**), consisting of:

*Forewords*

1. Project purposes
2. Compliance with current tools

*Assessment criteria*

1. Recovery and reuse scenarios
2. Tourism opportunity
3. Environmental sustainability and energy efficiency
4. Summary Table

b) Illustrative Materials consisting of:

*Sheets*

1. Framework
2. New Use
3. Action
4. Vision

12. What must Envelope C contain?

**ENVELOPE C “Time-Economic Offer – Lot.....”** must contain the following documentation, to be submitted as described in the Tender Notice:

a) Annex VII – *Time-Economic Offer* where the following must be indicated:

1. The Fee of the concession/lease;
2. The Duration of the concession/lease;

b) An *Economic-Financial Plan (EFP)* to cover investments;

c) *Summary sheet of costs, revenues, and investments as in Annex IX.*

Please note that:

- the proposed fixed annual fee may not be less than the minimum fee, as indicated in the Tender Notice.
- the proposed duration, under penalty of exclusion, must be between a minimum of 6 (six) years and a maximum of 50 (fifty) years.

13. What is the final deadline for submitting bids?

To participate in the tender procedure, the sealed parcel must be received by the deadline of **December 5, 2022, at noon – 12:00 PM.**

14. What are the grounds for exclusion set out in the call for tenders?

The grounds for exclusion outlined in the notice are summarized below:

### ***In general***

- Failure to insert ENVELOPES A, B, and C in the parcel;
- If participating in more than one lot, failure to include as many ENVELOPES B and ENVELOPES C as the lots in which the tenderer will participate, as specified in point 4.3 of the Tender Notice.

### ***Regarding ENVELOPE A***

- Failure to submit, within the prescribed time limit (no longer than ten days), deeds and documents required by the Agency for clarification/supplementation purposes.

### ***Regarding ENVELOPE B***

- Failure to include in ENVELOPE B “Project Proposal – Lot.....” the following:
  - ✓ the *Technical-Illustrative Report* (Annex VI);
  - ✓ *Illustrative Materials*, to be drawn up as specified in Annex VI;
- Failure to fully complete Annex VI – *Technical-Illustrative Report*;
- Failure to sign Annex VI – *Technical - Illustrative Report*;
- Failure to submit all the required *Illustrative Materials*;
- The specification in the Project Proposal of elements concerning the Time-Economic Offer and, therefore, of the proposed Fee and Duration.

### ***Regarding ENVELOPE C and, in particular:***

#### ***i. the template of Annex VII “Time-Economic Offer”:***

- Failure to include in ENVELOPE C the template of Annex VII “*Time-Economic Offer*”;
- Failure to sign the template of Annex VII “*Time-Economic Offer*”;
- Failure to indicate the assessment criteria for the Fee and the Duration;
- The proposed fee is lower than the minimum fee of € 217 under Legislative Decree no. 546/1981, Ministerial Decree no. 258/1998 and Article 10, paragraph 2, of Law no. 537/1993;
- proposed duration not between a minimum of 6 years and a maximum of 50 years.

#### ***ii. the Economic-Financial Plan (EFP), which may be drawn up using the template in Annex VIII of the Notice:***

- Failure to submit the duly signed Economic-Financial Plan (EFP) or failure to submit the signed EFP as a supplement within a prescribed deadline fixed by the Agency (no longer than ten days);
- Failure to specify the fee in line with the relative amount as indicated in the template of *Annex VII “Time-Economic Offer”*;
- Failure to implement the EFP for the entire duration of the proposed concession/lease as in the template of *Annex VII “Time-Economic Offer”*.

#### ***iii. to the format in Annex IX “Detailed cost, revenue and investment report”:***

- Failure to submit the duly filled-in and signed Form as a supplement within a prescribed deadline fixed by the Agency (no longer than ten days).

### ***In the case of a single tenderer***

The “under penalty of exclusion” clauses contained in this Notice will not apply (and, where deficiencies are found, a request for supplementation will be forwarded), unless in the following cases, **where the tenderer will otherwise be excluded**:

- absolute absence of the Technical-Illustrative Report (Annex VI) as indicated in point 4.3.2 (a);
- no indication of the fee and/or duration in the Time-Economic Offer of Annex VII;
- indication, in the Time-Economic Offer of Annex VII, of a fee lower than the minimum fee of € 217 under Legislative Decree no. 546/1981, Ministerial Decree no. 258/1998 and Article 10(2) of Law no. 537/1993;
- indication, in the Time-Economic Offer of Annex VII, of a duration not between 6 and 50 years.

#### **15. Are the Annexes for submitting the Project Proposal and the Time-Economic Offer available online? Can they be drawn up electronically for easy understanding?**

Yes, they are published in editable format to facilitate their compilation in compliance with the requirements of the Notice.

16. Does the maximum limit of 1,500 characters required to fill in various fields of the Project Proposal (Annex VI) include or exclude spaces?

Please note that the required limit in the number of characters, respectively for the different fields to be filled in according to the template of Annex VI, includes spaces.

17. How should aspects of environmental sustainability and energy efficiency be considered about any constraints that may exist for buildings of cultural interest?

Concerning the property for which they are participating in the tender procedure, each applicant is asked to propose the solution they believe to be most suitable, in compliance with the protection constraints and the territorial and urban planning tools in force. The submitted project proposal must focus on the aspects indicated in the Tender Notice, including environmental sustainability and energy efficiency.

As indicated in the call for tenders, for all assets involved their projects are by law subject to the opinion of the Administrations responsible for the protection of cultural heritage and to any prescriptions issued so that the proposed enhancement can guarantee the maximum protection and preservation of valuable buildings. The submitted project proposal will be implemented in the final/executive stage and will undergo the necessary authorizations to start operations by the competent Authorities.

Indeed, during the final and/or executive architectural design stage, following the awarding of the contract, the winning proposal must be submitted for approval to the competent building and protection Authorities, and the choices for interventions must be explained in detail and supported by appropriate analyses and technical-illustrative documents (e.g. character studies, degradation analyses, details of building techniques and materials, surface and structural recovery interventions, distribution and plant solutions, environmental impact studies, etc.).

The projects submitted to the Authorities and Administrations responsible for territorial and urban planning and protection must, in any case, maintain features of full adherence to what has been proposed in the project.

However, a preliminary discussion by the successful bidder with the administrations responsible for the protection of the territorial and urban planning in force is possible, to ascertain whether the project drawn up is to be considered, on a preliminary basis, compatible with the conservation of the asset.

Please also note that, due to their nature, the properties to be enhanced are often the target of interests of local environmental and heritage conservationists, who may intervene with spontaneous opinion movements with a strong media impact. It is therefore appropriate that the project proposal should also take into account the different local sensitivities.

18. Is it necessary for the designer appointed by the tenderer to participate in the call?

No, hiring a designer to draw up the *Project Proposal* is optional for the tenderer, who must in any case sign the *Project Proposal*.

19. Must the price of the restoration works be indicated in the Project Proposal?

No, the *Project Proposal* to be included in ENVELOPE B must not indicate any element concerning the Time-Economic Offer and, therefore, the indication of the proposed fee and duration, nor any information about investments, costs, and revenues.

20. Must the Project Proposal indicate the sources of financing for the restoration works?

No, the *Project Proposal* to be included in ENVELOPE B must not indicate any element concerning the Time-Economic Offer and, therefore, the indication of the proposed fee and duration, nor any information about investments, costs, and revenues.

21. Is the EFP template in Annex VIII mandatory?

The EFP template supplied by the Agency contains quantitative information for the economic-financial representation of the *Proposal* submitted and is given as an example. It is up to the individual applicant to fill in the proposed EFP template or to prepare its template that should still be in line with the aims of the project.

**SECTION VI: EVALUATION OF BIDS**

### 1. How are bids evaluated?

The concession/lease will be awarded based on the most economically advantageous tender following the criteria shown in the table below.

| ASSESSMENT CRITERIA   |    |  | REFERENCE           | WEIGHTS | SCORE |
|-----------------------|----|--|---------------------|---------|-------|
| QUALITATIVE ELEMENTS  | 1) | RECOVERY AND REUSE SCENARIOS                       | Project Proposal    | P1 = 35 | 80    |
|                       | 2) | TOURISM OPPORTUNITY                                | Project Proposal    | P2 = 25 |       |
|                       | 3) | ENVIRONMENTAL SUSTAINABILITY AND ENERGY EFFICIENCY | Project Proposal    | P3 = 20 |       |
| QUANTITATIVE ELEMENTS | 4) | FEE  | Time-Economic Offer | P4 = 10 | 20    |
|                       | 5) | DURATION   | Time-Economic Offer | P5 = 10 |       |

### 2. How is the recovery and reuse of the asset evaluated?

The assessment of the property's *recovery and reuse scenarios* is crucial to verify the consistency of the *Project Proposal* with the general principles of the project and with the territorial context of reference, especially concerning the location of future functions and the methods of property recovery.

### 3. What does the assessment of tourism opportunity mean?

The *tourism opportunity* is a qualitative element in the assessment of project proposals, together with the ideas of environmental sustainability and energy efficiency. It involves the activity to be implemented for the reuse of the building. This element will be evaluated in terms of tourism opportunity, linked to social, cultural, care, and wellbeing issues, thus assessing both the economic and/or social benefit for the area involved and the benefits for the development of Sustainable Tourism, respectful of the environment and the reference landscape.

The score will also be awarded according to the following aspects: public accessibility; networking; seasonal adjustment of tourism flows and local development.

### 4. How are environmental sustainability and energy efficiency assessed?

This qualitative element suggests to the competitor an enhancement in line with the principles of environmental sustainability and energy efficiency, as well as with the specific "environment-friendly" actions that can be carried out in terms of enhancing and protecting the environment and improving the energy performance of the asset, to be achieved through the consumption limitation and the implementation of renewable sources. The score will be awarded by taking into account the use of compatible eco-friendly materials, bioclimatic techniques and devices, sustainable construction site management, soft mobility solutions, improvement of the building's energy performance, and low-consumption devices.

### 5. What does green building mean?

Green building is a system of building techniques, usually traditional, aimed at implementing the principles of green architecture and environmental sustainability, which means guaranteeing the needs of eco-systemic quality of living, in a broad and holistic sense. Green building includes the choice of natural, non-harmful, and ecological materials, free from potential indoor pollution, as well as technological choices that cut energy consumption, do not involve the use of additional energy (passive devices), and protect the environment and the well-being of users.

### 6. What is sustainable construction site management?

*Sustainable construction site management* refers to all measures aimed at lowering the environmental impact of a construction site, including noise and air pollution, as well as the management of waste and residual materials. This includes the use of dry technologies for the construction, which reduce wet construction site waste and pollutants released into the atmosphere at the end.

7. If the given property has no installations, can I still produce the Energy Performance Certificate (EPC) *ante operam*?

No, in that case, it will not be necessary to produce the EPC *ante operam*, only the one with the forecast of the *post operam* performance. The assessment will be made by conventionally giving class G as the default class.

8. What do architecturally-integrated renewable energy sources mean?

Integration of renewable energy sources means all the technological solutions that allow the components of the installation (e.g., photovoltaic panels) to be harmonized with the surfaces on which they are installed (e.g. a pent roof), minimizing their visibility or making them a sign of recognition of the project (e.g. a micro-wind turbine that becomes a landmark).

9. How is the proposed fee evaluated?

The proposed fee is the amount in euros of the annual fee that the tenderer agrees to pay, on a flat-rate basis, for the proposed duration of the concession/lease. This fee, under penalty of exclusion, may not be less than the minimum fee of € 217 under Legislative Decree no. 546/1981, Ministerial Decree no. 258/1998, and Article 10 (2) of Law no. 537/1993. The highest score for this assessment criterion will be awarded to the highest fee.

10. Are there any facilities for the payment of the fee in the early months of the work?

For the first 48 months from the signing of the deed of concession/lease agreement (period of execution of the planned works, unless extended), the annual fee will be 10% of the proposed fee; thereafter and throughout the remaining duration of the concession/lease, the annual fee shall be paid in full.

11. How is the proposed duration evaluated?

The duration is the measure in years of the proposed duration of the concession/lease and must be specified, under penalty of exclusion, between a minimum of 6 (six) years and a maximum of 50 (fifty) years. The highest score for this assessment criterion will be awarded to the lowest duration.

12. How are the scores awarded?

Scores are awarded according to the *compensatory method of aggregation*.

13. How are the scores for the Technical Offer determined?

As already stated, scores are awarded according to the *compensatory method of aggregation*.

In particular, each member of the Commission assigns – according to the table contained in the Tender Notice – a coefficient, varying between zero and one, to each assessment criterion.

The average of the coefficients assigned by the commissioners is then calculated and converted into final coefficients, setting the highest average to one and proportioning the provisional averages calculated before to the highest one.

Each final coefficient is then multiplied by its weight, thus attributing a score to each assessment criterion.

Finally, all the scores attributed to the assessment criteria are summed up for each competitor.

14. How are the scores for the *Time-Economic Offer* determined?

The score for the *Time-Economic Offer* is the sum of the scores for the *Fee* [S(a)F] and the *Duration* [S(a)D] offered by each tenderer.

15. How are the scores for the proposed Fee awarded?

The score relating to the Fee offered by the individual tenderer is attributed according to the formula below:

$$S(a)F = SF * V(a)F = 10 * \frac{F(a)}{F(\max)}$$

Where:

S(a)F = Score of the offer A relating to the Fee

SF = Weight in points given to the Fee, i.e. 10

V(a)F = Coefficient of the performance of offer A relating to the Fee, varying between 0 and 1

F(a) = Fee offered by competitor A

F(max) = Maximum Fee offered within the tender

16. How are the scores for the proposed Duration awarded?

Similar to the method used to assess the fees offered, the score for the Duration offered by the individual tenderer is attributed according to the formula below:

$$S(a)D = SD * V(a)D = 10 * \frac{D(\min)}{D(a)}$$

Where:

S(a)D = Score of the offer A relating to the Duration

SD = Weight in points given to the Duration, i.e. 10

V(a)D = Coefficient of the performance of offer A relating to the Duration, varying between 0 and 1

D(a) = Duration offered by competitor A

D(min) = Minimum duration offered within the tender

17. What happens if there are discrepancies between tender documents?

The following order of priority is applied:

1. Tender Notice;
2. Draft Concession Deed (Annex X)/Draft Lease Contract (Annex XI);
3. *Information Memorandum*.

18. What happens if there are discrepancies between the Time-Economic Offer and the Economic-Financial Plan?

The EFP, under penalty of exclusion, must indicate the same fee as specified in the Time-Economic Offer of Annex VII and be carried out for the entire duration of the concession/lease proposed under the same Time-Economic Offer.

**SECTION VII: IDENTIFICATION OF THE CONTRACTOR**

### 1. What happens after the deadline for bid submission has expired?

Once all bids have been received within the deadline, on the day and at the time indicated in the Tender Notices, a properly constituted Tender Commission will proceed in public session to open the parcels, examine and check the documentation contained in Envelopes A, notwithstanding the possibility of requesting clarifications/integrations.

The same Commission shall open, in public session, Envelopes B of the eligible participants, to check the presence and completeness of the corresponding documentation, notwithstanding the possibility of requesting an additional signature for the illustrative materials.

The Commission will then examine the projects during a private session, it is understood that the projects of any competitors who have received the aforementioned request for supplementation will be examined only after their position has been established. Afterward, the Commission will proceed to assign scores, as indicated in paragraph 5 of the Notice and, in particular, in point 5.6.1.

Once the awarding of technical scores has been completed, the Commission shall proceed, in public session, to announce any exclusions of bids and read out the scores awarded; in the same public session, the Commission shall open Envelopes C "*Time-Economic Offer*", check the presence and completeness of their contents and, unless supplementation is requested, anyhow read out the Time-Economic Offer of Annex VII.

The score for the Time-Economic Offer will then be calculated as indicated in point 5 of the Notice and, in particular, point 5.6.2, it is understood that, where supplementary information is requested, such score may be calculated for all tenderers only after their position has been established. The said score will be announced by the Commission in public session, with the simultaneous announcement of the overall scores and identification of the best offer.

### 2. What happens after the best offer is identified?

Once the best offer has been identified, the Agency will formalize the award decision, whose effectiveness will depend on the successful verification of the requirements declared by the winning bidder during the tender, carried out at the territorial level, as well as on the submission by the successful bidder, within 60 (sixty) days, to the competent Territorial Directorate, of the sworn statement of the Economic and Financial Plan presented for participation in the tender. The sworn statement must be issued by a credit institution or by companies registered in the general list of financial intermediaries, under art. 106 of Legislative Decree no. 385 of 1 September 1993, or by an auditing firm.

### 3. What happens if two or more tenderers obtain the same total score?

If the bids of two or more tenderers obtain the same total score, but different scores for the *Project Proposal* and the *Time-Economic Offer*, the tenderer with the highest score on the *Project Proposal* will be ranked first.

### 4. What happens if two or more tenderers obtain the same total score and the same partial scores?

If the bids of two or more tenderers obtain the same total score and the same partial scores for the *Project Proposal* and the *Time-Economic Offer*, a draw will be held in a public session.

### 5. Who must submit the sworn Economic and Financial Plan?

To access the awarding stage, the winning bidder must submit, within a deadline of 60 (sixty) days from the Territorial Directorate's request, the sworn statement of the Economic and Financial Plan presented for participation in the tender. The sworn statement must be issued by a credit institution or by companies registered in the general list of financial intermediaries, under Article 106 of Legislative Decree No. 385 of 1 September 1993, or by an auditing firm.

### 6. What happens if only one tenderer participates?

In the event of a single participant, no points will be awarded; however, the *Project Proposal* will be assessed and will not be awarded if it is considered structurally inadequate. In the event of a single participant, the "under penalty of exclusion" clauses contained in the Notice will not apply (and, where deficiencies are found, a request for supplementation will be forwarded), unless in the following cases, where the tenderer will otherwise be excluded:

- absolute absence of the Technical-Illustrative Report (Annex VI) as indicated in point 4.3.2 (a);
- no indication of the fee and/or duration in the Time-Economic Offer of Annex VII;
- indication, in the Time-Economic Offer of Annex VII, of a fee lower than the minimum fee of € 217 under Legislative Decree no. 546/1981, Ministerial Decree no. 258/1998 and Article 10 (2) of Law no. 537/1993;

- indication, in the Time-Economic Offer of Annex VII, of a duration not between 6 and 50 years.

7. How are the dates of public sessions communicated?

The dates of non-consecutive public sessions shall be published on the Agency's institutional website.

The tenderer may attend the public meetings either directly or through a proxy.

8. Once the deadline for bid submission has expired, what timeframe can be envisaged for the selection of the concessionaire/conductor?

Once the Call for Tenders is closed, the Commission's deliberations are scheduled and will last depending on the number of proposals received and their complexity.

As a rule, it is estimated at least two to three months.

To award assets, the statutory verifications will be carried out, which are expected to last approximately two months.

9. To conclude the deed/contract, are there any requirements for the successful bidder who is not a resident or has no registered office in Italy?

Yes, if the successful bidder is resident or has its registered office in a country other than Italy, he/she must transmit to the competent Regional Directorate of *Agenzia del Demanio* the Italian tax code previously requested and assigned by the *Agenzia delle Entrate* (Italian Revenue Agency) for the fulfillment of tax-relevant acts in the territory of the Italian Republic.

**SECTION VIII: THE FEATURES OF THE CONCESSION/LEASE RELATIONSHIP**

### 1. What are the essential features of the concession/lease relationship?

**Restoration work on the property** – The contractor agrees to carry out such work within 48 months from the signing of the deed of concession/lease agreement, notwithstanding the possibility of any further extensions, and to provide *Agenzia del Demanio* with the documentation testifying completion of the work and the necessary certifications, including for example certification of occupancy and the technical data sheet for the materials used and the work carried out. The Concessionaire must also provide the technical-administrative documentation relating to the updating of the land register.

**Permanent deposit** – To guarantee all the charges deriving from the concession, including the correct execution of the interventions and the payment of the fee, the contractor shall present:

**at the time and for the stipulation of the deed:**

- a) a first permanent deposit for the period of 48 months from the signing of the concession/lease, equal to 10% of the sum of the amount of the investments envisaged for the execution of the works – as outlined in the summary sheet of costs, revenues and investments in Annex IX – and the fees due for the covered period (48 months); this deposit will be discharged on the date the second permanent deposit is issued;

**upon expiry of the 48 months from the signing of the concession/lease:**

- b) the second permanent deposit, which may alternatively:
- be valid for the residual duration of the concession/lease and be equal to 10% of the fees owed for the residual duration of the concession/lease. This deposit will be gradually discharged over the years following the gradual reduction in the overall value of the fees due;
  - have a term of no less than five (5) years and an amount equal to 10% of the fees due for the covered period. This deposit must be extended or renewed for a period of no less than five (5) years until the end of the concession/lease. The renewal or extension must be made, under penalty of forfeiture, at least 90 (ninety) days before the expiration date, even with another credit or insurance institution.

**Insurance policy(s)** – For State-owned properties, the Concessionaire/Licensee, before starting work, must sign, at their own expense and under penalty of forfeiture, adequate insurance policy(s) with a primary insurance company and forward it to the Agency to cover all the risks listed below:

- before and during the execution of the Interventions, Third Party Liability (TPL) covering damage to people and goods, Temporary Collaborators' Liability (TCL) and the total or partial destruction – including fire, lightning, explosion, bursting, and other ancillary risks – of the Building subject to concession, with a ceiling not lower than the value of the Building not refurbished;
- once the Interventions have been completed, before starting the activities envisaged in the Project Proposal and for the entire residual duration of the concession, Third Party Liability (RCT) covering damage to people and goods, Temporary Collaborators' Liability (TCL), and the total or partial destruction – Including fire, lightning, explosion, bursting, and other ancillary risks – of the Building, with a ceiling not lower than the value of the refurbished Building. Said ceiling shall be increased by the Concessionaire, every 5 years, by a percentage equal to the sum of the ISTAT consumer price indexes for each of the years that have elapsed.

**Nameplate** – To promote and foster the constitution of the *Valore Paese Italia* network and guarantee its systematic development, the commitments of the concessionaire/licensee also include the obligation to produce and affix the nameplate, in compliance with the prescriptions indicated by *Agenzia del Demanio* and with the laws in force.

**Network of Companies** – Again to promote and foster the constitution of the *Valore Paese Italia* network and guarantee its systematic development, the commitments of the concessionaire/licensee, where requested by *Agenzia del Demanio*, include being part of a “network of companies” of economic operators who manage tourism-receptive facilities coordinated by *Agenzia del Demanio* or other public administrations participating in the initiative.

### 2. Concerning sureties, is a bank guarantee issued by a foreign bank permitted?

Yes.

### 3. How must the permanent deposit be provided?

The permanent deposit may be lodged by bank guarantee or insurance policy issued by banking or insurance companies that meet the requirements of art. 93 paragraph 3 of Legislative Decree no. 50/2016, and must expressly provide for:

- the waiver of the benefit of prior enforcement of the principal obligor under art. 1944 of the Italian Civil Code;
- the waiver of the exception under art. 1957 paragraph 2 of the Italian Civil Code;

- the relative efficiency within 15 days, upon simple written request by the Agency.

4. Are sub-concessions permitted within the framework of the enhancement concession/lease?

Under art. 3-bis, paragraph 5 (b) of Legislative Decree no. 351/2001, the possibility of sub-concession of economic or service activities are permitted.

5. Could the concessionaire/conductor submit a purchase proposal upon expiry of the concession/lease?

Yes, under art. 3-bis, paragraph 4-bis, of Legislative Decree no. 351/2001, at the end of the time limit set by the concessions and leases referred to in this article, *Agenzia del Demanio*, after checking that the purpose of redevelopment and conversion of the assets has been achieved, grants the concessionaire/lessee, where there are no usage requirements for institutional purposes, the right of pre-emption to purchase the asset at the market price.

6. What are the taxes and/or duties charged on the properties?

The taxes are the ordinary ones foreseen for real estate matters (IMU -TARI), whose rates are governed, at a local level, by Regulations of the competent Municipal Administrations.

With particular reference to IMU, please note that, under art. 9, paragraph 1 of Legislative Decree no. 23/2011: “*In the case of concession of state-owned areas, the taxable person is the concessionaire.*”

The subsequent paragraph 681 establishes the split payment of this tax if the property is occupied by a party other than the holder of the real right.

These general provisions must, however, be coordinated with any regulatory provisions that include facilitation, also of fiscal nature, on behalf of given categories of individuals for the use of public properties for specific purposes.

7. Which value should be considered for the compulsory insurance policies to be taken out?

Regarding the insurance policies, before and during the implementation of the interventions, the value of the property to be taken into account is that of the non-refurbished asset; once the Interventions have been completed, before the business is launched and throughout the residual duration of the concession, the value of the property to be taken into account is that of the refurbished asset. The property values are calculated by *Agenzia del Demanio*, following the provisions of ordinary techniques and considering the type, consistency, state of conservation, location of the property, and market conditions.

8. Are any urbanization or infrastructure fees linked to the restoration of the property chargeable to the successful bidder?

Yes, the restoration works, ordinary and extraordinary maintenance and related works indicated in the Project Proposal submitted during the tender are the responsibility of the Concessionaire/Conductor (See art. 7 Annexes X and XI – Draft Concession Deed and Lease Contract).

9. If the property is awarded, is the concessionaire/lessee obliged to carry out activities as proposed in the tender?

Yes, the successful bidder is required to carry out the *Project Proposal*. As indicated in the deed/contract drafts contained in the tender documentation, the Agency may order inspections at the property, periodic checks and inspections aimed at verifying the execution and progress of the interventions according to the timetable indicated in the *Project Proposal* and the carrying out of the activities in compliance with the regulations in force and accordance with the *Project Proposal* submitted during the tender.

In the event of non-compliance by the concessionaire/lessor with all the obligations required and contained in the abovementioned drafts, *Agenzia del Demanio* is entitled to declare the immediate forfeiture/termination of the concession/lease, and the successful bidder is required to pay a penalty and compensation for any greater damages.

Although the project proposal submitted during the tender procedure will have to be developed in the final/executive stage and will be subject to the authorizations necessary for the starting of works, to be requested from the competent Authorities.

10. If more than one property is awarded, will failing to sign the deeds/contracts result in the provisional deposit for each property being enforced?

Yes, the competitor is bound to his bid for 240 days, starting from the deadline for submission of applications. As a guarantee of the seriousness of the offer, a provisional deposit is placed, which is fully enforced by the Granting Body, in case of failure to sign the deed/contract by the successful bidder. In particular, the provisional deposit must be paid only once, no matter the number of lots for which tenderers apply, and that it may be released in full for each lot.

11. What happens when the concession/lease expires? How many times can it be renewed? Is compensation paid to the concessionaire/conductor?

As indicated in the Concession Deeds/Lease Contracts attached to the Tender Notice (Annexes X and XI), upon expiration of the concession/lease, the property shall become legally available to the Agency free of charge and with all the transformations, improvements, additions and accessions made, whether or not included in the Interventions.

12. Is the planned investment for the restoration of the asset fiscally deductible?

In general, extraordinary maintenance costs incurred on third party properties - and therefore also in the case of state-owned properties - are deductible for tax purposes within the limits of the share relating to each financial year, following statutory provisions (cf. art. 108 paragraph 3 of Presidential Decree 917/86).

Accounting principle OIC 24 (*“Intangible fixed assets”*) states that *“the amortization of leasehold improvements is carried out over the lower period between the future useful life of the expenses incurred and the residual period of the right to use the asset (e.g. lease, concession, loan, etc.), taking account of any renewal period, if pendant on the conductor”*.

Specifically, each intervention will be assessed by the successful bidder following due process.

13. In case of award, if, after signing the deed/contract, difficulties should arise in terms of authorizations, is it possible for the successful bidder to ask the Agency for prolongations and/or refunds, or to withdraw in advance from the deed/contract?

As indicated in Annexes X and XI (Concession Deed and Lease Contract Drafts), the Concessionaire/Conductor shall carry out the works within a maximum period of 48 (forty-eight) months from the signing of the handover report, notwithstanding the possibility of an extension of 36 (thirty-six) months.

The concessionaire is not entitled to any refunds or indemnities whatsoever from the Agency; it has the right to withdraw early, for serious reasons, not before 48 months have elapsed since the signing of the concession deed or lease contract.