



AGENZIA DEL DEMANIO

## CALL FOR TENDERS' GUIDE

**June 2023**

*Tender procedures aimed at the awarding of public buildings in facilitated concessions to Third Sector Entities (ETS) pursuant to Art. 71, par. 3 of Legislative Decree no. 117/2017 "Third Sector Code"*

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## **WARNING**

*This Call for Tenders' Guide is an explanatory and support tool with which to support bidders - who intend to participate in public procedures launched under the Valore Paese Italia programme and the Network Projects one - in reading the tender documentation and, in particular, the Local Invitations ( i.e. tenders).*

*Therefore, this Guide does not supplement or replace the tender documentation.*

*In case of discrepancy between the indications contained in this document and what is reported in the Invitations to Tender - which, it should be remembered, constitute lex specialis rule - what is indicated in the calls and the relevant annexes prevails according to the order indicated in point 8.4 of the same Invitations.*

*For further complementary information and/or clarifications on the content of the tender documentation not contained in this Guide, please note that it is possible to contact the Tender Managers, exclusively in writing, in Italian and within the deadlines set by the procedures, at the e-mails indicated in the Local Invitations under point 1.10.*

**SECTION I: THE PROGRAMME**

### 1. What are Network Projects and Valore Paese Italia (VPI)?

The Network Projects are complex, nation-wide initiatives for the renovation and conversion of State-owned investment properties with high cultural, identity and landscape value. These properties, owned by the State and other Bodies, shall be **economically, socially and culturally redeveloped** according to a series of **thematic networks** that combine together tourism, cultural heritage, environment and soft mobility.

The redevelopment initiatives revolve around a **specific theme** characterising the **network** (here meant as a network of **real estate assets, territories and actors**), which shall be promoted through a strong brand capable of making it easily recognizable. The Network Projects - Valore Paese Italia initiative began its activities starting from 2015 with the Lighthouses, Watchtowers and Coastal Buildings network, which at the time involved only State-owned properties; starting from 2017, the participation was extended also to other Bodies, with the inauguration of a new thematic network called Hikes and Itineraries. In 2020, all active networks - including the Dwellings one, which had been experimented sporadically ever since 2007 - were reunited underneath the single banner of Valore Paese Italia. Valore Paese Italia is a national programme promoted by the subscription of the institutional agreement of 17 December 2020 and of the subsequent operational agreement between the then Ministry of Cultural Heritage and Activities and of Tourism (now Ministry of Culture), the Italian Government Tourist Board (ENIT), the State Property Office and Difesa Servizi S.p.A.. Other institutional partners and the world of slow tourism and soft mobility participate in the programme. **The Networks** included in the Valore Paese Italia brand are as follows:

- Lighthouses, Watchtowers and Coastal Buildings
- Hikes and Itineraries
- Dwellings
- Forts and Fortifications (new)
- Villages and Inland Areas (new)
- Accessible Tourism (new)
- Third Sector Entities (*Enti del Terzo Settore* or ETS)

### 2. What are the objectives of the programme?

Valore Paese Italia aims at redeveloping the nation's public heritage, landscape and historical-artistic beauties and, with joint actions, intends to enhance the social-tourist-cultural offer through the design and creation of national circuits of excellence in support of the "Italian System", also linked to slow and sustainable mobility, railway tourism, the networks of lighthouses, watchtowers and coastal buildings, hikes and itineraries, dwellings, roadman's houses, hamlets, forts and fortifications, reserves and natural sites, along which to redevelop public real estate assets.

### 3. How are the properties awarded?

As part of the tender procedures launched by the State Property Office, the properties are granted to ETS registered in the RUNTS pursuant to Art. 71, par. 3 of Legislative Decree no. 117/2017, "Third Sector Code", which provides that the *"immovable cultural heritage owned by the State, the Regions, local authorities and other public bodies, for the use of which no fee is currently paid and which require restoration interventions, can be given in concession to third sector entities, which carry out the activities indicated in Art. 5, par. 1, letters f), i), k), or z) with payment of a subsidized fee, to be determined by the relevant administrations, for the purposes of redevelopment and reconversion of the same assets through recovery, restoration, restructuring interventions at the expense of the concessionaire, also with the introduction of new intended uses aimed at carrying out the indicated activities, without prejudice to the provisions contained in the Legislative Decree no. 42 of 22 January 2004. The use concession is aimed at allowing for a management project for the asset, which ensures its correct conservation, as well as its opening to public use and to a better redevelopment. The expenses incurred by the concessionaire for the interventions indicated in the first period within the maximum limit of the fee itself are deducted from the concession fee. The identification of the concessionaire takes place through the simplified procedures referred to in Art. 151, par. 3 of Legislative Decree no. 50 of 18 April 2016.*

*50. The concessions referred to in this paragraph are assigned for a period of time proportionate with the achievement of the economic-financial balance of the initiative and in any case not exceeding 50 years".*

### 4. For 2023 edition, what are the programme's implementation methods?

June 2023 is the first edition of the **facilitated concession tender for Third Sector Entities (ETS) pursuant to Art. 71, par. 3 of Legislative Decree no. 117/2017** for State properties, which the State Property Office initiates and manages through tender procedures at a territorial level. For this experimental edition, there is only one notice published under the responsibility of the Veneto Regional Directorate. Subsequently, other tender editions dedicated to the facilitated concession for ETS will be promoted with notices published by the individual Territorial Departments for the assignment of the state-owned properties of competence



(i.e., located in the reference area). The Invitations to Tender shall be made available on the State Property Office's website, in the "*Gare e Aste - Immobiliare*" section, as well as in the section dedicated to the *Network Projects* and ETS.

5. Where and how to find the information and the documentation related to the programme.

More information is provided in the institutional website of the State Property Office, in the section dedicated to Network Projects - Valore Paese Italia.

6. Can the facilitated concession to Third Sector Entities (ETS) pursuant to Art. 71, par. 3 of Legislative Decree no. 117/2017 be used also by other Public Bodies?

Art. 71, par. 3 of Legislative Decree no. 117/2017 speaks of immovable cultural assets owned by the State, the Regions, local authorities and other public bodies, which can be given in concession to third sector entities, that carry out the activities indicated in Art. 5, par. 1, letters f), i), k), or z).

7. Where to find more information on the properties owned/managed by other Public Bodies.

For any buildings belonging to other public bodies (municipalities, regions, etc.), subject to tender procedures for facilitated concessions to Third Sector Bodies (ETS) pursuant to Art. 71, par. 3 of Legislative Decree no. 117/2017, the aforementioned Public Bodies must be contacted directly for any further information to find out about the assignment methods and the related deadlines, governed directly by the Body.

8. Where to find more information on Third Sector Entities (ETS) and on the Single National Register of Third Sector Entities (RUNTS)? For more information, please get in touch with the relevant Ministry:

- Ministry of Labour and Social Policies also accessible from the following link <https://servizi.lavoro.gov.it/runts/it-it>

Other useful information is also provided by the Third Sector representative bodies:

- Third Sector Forum <https://www.forumterzosettore.it/>
- National Association of Voluntary Service Centre (*Centri di servizio per il volontariato* or CSV) <https://csvnet.it/>

Or also on the common platform that the Ministry of Labour, the Third Sector Forum and Csvnnet have created to explain the Third Sector Reform in detail, but also to provide updates, latest news and training:

- Third Sector Construction Site <https://www.cantiereterzosettore.it/>

**In particular, tools, guides, insights and videos to facilitate access and procedures on the RUNTS platform** are available at the following link

<https://www.cantiereterzosettore.it/gli-approfondimenti/come-utilizzare-la-piattaforma-del-registro-unico-nazionale-del-terzo-settore/>

It is possible to contact:

For the province of Padua and Rovigo, the Provincial Volunteer Service Center of Padua and Rovigo

<https://www.csvpadovarovigo.org/>

49 8686849

[info@csvpadovarovigo.org](mailto:info@csvpadovarovigo.org)

For the province of Vicenza, the Vicenza Provincial Volunteer Service Center

<https://www.csv-vicenza.org/web/>

no. 0444/235308

[info@csv-vicenza.org](mailto:info@csv-vicenza.org)

For the province of Belluno, the Provincial Volunteer Service Center of Belluno and Treviso

<https://www.csvbltv.it/>

0437 950374

[ufficiterrioriali@csvbltv.it](mailto:ufficiterrioriali@csvbltv.it)

**SECTION II: INVITATIONS TO TENDER**

1. How many tendering procedures initiated by the Local Directorates of the State Property Office for facilitated concession for ETS are there?

The Local Directorate(s) of the State Property Office that published calls for tenders for the facilitated concession for ETS of State-owned properties are/is as follows:

- Veneto

The Invitation to Tender shall be made available on the State Property Office's website, in the "Gare e Aste - Immobiliare" section, as well as in the section dedicated to the Valore Paese Italia - Network Projects.

2. What are the tendering documents?

Tendering documents are comprised of:

- Invitation to tender
- Annex A - Information Pursuant to Art. 13 of Regulation (EU) 2016/679
- Annex I - Assets' Description
- Annex II - Applications
- Annex III - Declaration of Knowledge of the Condition of the Real Estate
- Annex IV - Personal Declaration of Certification
- Annex V - Statement of Commitment
- Annex VI - Project Proposal
- Annex VII - Economic-Timeline Bid
- Annex VIII - BP Model
- Annex IX - Costs, Revenues and Investments' Details Sheet
- Annex X - Concession Deed Outline
- *Information Memorandum* with attachments (such as Certificate of Town-Planning Use Class, signed Memorandum of Understanding, constraint of cultural interest, concession authorization).

3. What type of assets are included in the invitations to tender issued by the State Property Office for facilitated concession for ETS? For each regional tender notice (for this edition it is a single tender notice) published on the website of the State Property Office, the relevant lots (individual assets) object of the facilitated concession for ETS are shown below:

INVITATION	TENDERING PROCEDURE (LOCAL DIRECTORATE)	LOT NO.	NAME OF PROPERTY	REGION	PROVINCE	MUNICIPALITY	TENDER MANAGER	INSPECTION E-MAIL
1	Facilitated Concession for ETS VENETO	1	VILLA PASQUALIGO PASINETTI RODELLA	CINTO EUGANEO	PADUA	VENETO	ANGELO PIZZIN	LUCA FRANCATO
		2	VILLINO ROSSI	SCHIO	VICENZA	VENETO	ANGELO PIZZIN	ALICE LETTIG
		3	CASELLO ROCCOLO	PIEVE DI CADORE	BELLUNO	VENETO	ANGELO PIZZIN	ALICE LETTIG
		4	CASELLO RONCHI	PIEVE DI CADORE	BELLUNO	VENETO	ANGELO PIZZIN	ALICE LETTIG
		5	STAZIONE SOTTOCASTELLO	PIEVE DI CADORE	BELLUNO	VENETO	ANGELO PIZZIN	ALICE LETTIG



#### 5. Where to find information on the properties.

On the State Property Office website, for each lot, it is possible to access, among the tender documents, the Annex I - *Asset's Technical Description* and the *Information Memorandum*.

#### 6. What is the *Information Memorandum*?

It is a tender document which provides, for each property subject to the facilitated concession for ETS call, an information framework and a general overview of the reference territorial and regulatory context, useful for the preparation of the Technical Offer to be submitted for participation to the tender, with particular reference to the new functions and the methods of intervention permitted and always in compliance with the instruments of historical-artistic and environmental protection and of urban and territorial planning in force.

#### 7. Is it possible to ask for further additional information and/or explanations on the content of the documents to the Tender Manager?

Yes, any requests for additional information and/or clarifications on the content of the documentation relating to the tender procedures must be sent, exclusively in writing and in Italian, to the e-mail addresses of the persons in charge of the procedure indicated in the regional notices and listed below:

NAME OF PROPERTY	REGION	PROVINCE	MUNICIPALITY	TP E-MAIL	INSPECTION MANAGER E-MAIL
VILLA PASQUALIGO PASINETTI RODELLA	VENETO	PADUA	CINTO EUGANEO	dre.veneto_ud@agenziademanio.it	<a href="mailto:Luca.Francato@agenziademanio.it">Luca.Francato@agenziademanio.it</a>
VILLINO ROSSI	VENETO	VENETO	VICENZA		alice.lettig@agenziademanio.it
CASELLO ROCCOLO	VENETO	BELLUNO	PIEVE DI CADORE		alice.lettig@agenziademanio.it
CASELLO RONCHI	VENETO	BELLUNO	PIEVE DI CADORE		alice.lettig@agenziademanio.it
STAZIONE SOTTOCASTELLO	VENETO	BELLUNO	PIEVE DI CADORE		alice.lettig@agenziademanio.it

#### 8. What are the deadlines for submitting any eventual request to the Tender Manager?

Any eventual request for further information and/or clarifications on the contents of the documentation must be submitted and received without delay within **27 November 2023** - exclusively via e-mail.

#### 9. What is the Tender Manager's deadline for answering any eventual request?

By **04 December 2023** the Tender Manager shall answer via e-mail all questions made.

**SECTION III: IDENTIFICATION OF ASSETS HELD FOR CONCESSION/RENTAL**

1. For the purpose of participating in the regional procedure, is it necessary to indicate a specific asset?

The submission of the application for participation in the tender procedure on a territorial basis must refer to a specific asset (lot). In the event of an application for multiple lots, see questions no. 3 and 4.

2. Are there any limitations to the participation to regional calls for tenders?

No, applicants may even participate in all active regional tender procedures.

3. For how many properties, in the context of the same regional tendering procedure, can applicants lodge their application to tender?

There are no limits for the submission of applications to tender; therefore, each applicant can submit as many proposals as the total lots of the local call for tenders.

By way of example, if a bidder is interested in the two properties/lots relating to the tender notice published by the **Veneto Local Directorate**, he/she must submit an application for participating in the territorial tender procedure accompanied, for each property/lot, by a project proposal and an economic-timeline bid.

4. In the event of multiple participations within the same regional call, how should the tender be prepared?

In the event of multiple participations within the same regional call, the bidder must submit a single folder containing, under penalty of exclusion:

- an ENVELOPE called "*A - Administrative Documentation*";
- as many ENVELOPES called "*B - Project Proposal - Lot...*" (specifying the lot to which the bid pertains) as the lots for which the applicants wished to make a bid (e.g. if an applicant participates in two lots, two distinct envelopes B must be inserted, one containing the *Project Proposal* relating to lot x and the other relating to lot y);
- as many ENVELOPES called "*C- Economic-Timeline Bid - Lot...*" (specifying the lot to which the bid pertains) as the lots for which the applicants wished to make a bid (e.g. if an applicant participates in two lots, two distinct envelopes C must be inserted, one containing the *Economic-Timeline Bid* relating to lot x and the other relating to lot y);

5. Are there any limitations to the tenders' presentation?

- To bidders, to participate in more than one joint-venture or consortium;
- To bidders, to participate also individually if participating also jointly;
- To members of consortia between social cooperatives/local businesses and of permanent consortia, to participate in any other form; in the event of non-compliance with this limitation, both the consortium and its members shall be excluded from the tender procedure and Art. 353 of the Italian Criminal Code shall apply.

6. When the properties are subject to invitations to tender published by different Local Directorates, is it possible to lodge a single application accompanied by the tender for each single property?

This edition entails a single call for tenders. However, in general, no, each Local Directorate manages the public procedure for the properties falling within their area of competence; therefore, if the properties constitute lots relating to tender notices published by different Local Directorates, as many applications for participation must be submitted - accompanied by the relative bids - as there are awarding Local Directorates.

By way of example, should a bidder be interested in three properties, two in the Veneto Region and one in Tuscany, he/she shall submit:

- an application for the tender procedure called by Veneto Directorate accompanied, for each asset, by the relevant bids (*Project Proposal* and *Economic-Timeline Bid*);
- an application for the tender procedure called by Tuscany Directorate accompanied, for each asset, by the relevant bids (*Project Proposal* and *Economic-Timeline Bid*).

7. Can applicants request a meeting for further clarifications?

No, as indicated in the Invitation to Tender, it is only possible to request further information on the tender by writing in Italian and via e-mail to the Tender Manager (see contacts on Invitation to Tender) within **27 November 2023**. By **04 December 2023** the Tender Manager shall answer via e-mail all questions made.

8. Is it possible to inspect the various properties?

Yes, for the purpose of participating in the procedure, it is mandatory to either:

- Carry out an inspection of the relevant property; *or*
- Submitting a declaration of knowledge of the condition of the real estate.

9. In the event of an asset in a bad/average maintenance state, is it possible to inspect it anyway? Yes, the inspection methods and timing are commensurate with the state of conservation of the property. In any case, those interested in the inspection are required to use protective devices and to sign a declaration of indemnification to the State Property Office, releasing it from civil and criminal liabilities and for any damage that the participant may suffer while carrying out the inspection.

10. How to book an inspection.

È It is possible to book the inspection(s) by contacting the person indicated for each Local Directorate- where different from the Tender Manager- by means of a written request, in Italian, which must be sent by e-mail to the e-mail address indicated in point 1.10 of the 'Invitation to Tender. In the inspection request, the potential bidder must specify - by indicating the lot number(s) - the asset(s) he/she intends to visit, as well as the names, personal details and telephone numbers of the people who intend to participate in the inspection.

11. What are the deadlines for booking one or more inspections?

Inspections' requests may be submitted starting from **3 July 2023** and until **13 November 2023**, following the procedures laid out in the Invitation to Tender.

12. What are the deadlines for carrying out one or more inspections?

Inspections may be carried out starting from **10 July 2023** and until **20 November 2023**, following the procedures laid out in the Invitation to Tender.

13. What is the Inspection Certificate?

The Inspection Certificate is a document issued to the person participating in an inspection by the relevant Local Directorate following the inspection of one or more properties. A copy of the Certificate, duly signed by the participant, shall be stored with the relevant Local Directorate.

For the purpose of participating in the tender, the document must be submitted by the bidder, together with all other necessary documents.

14. If the inspection has not been carried out within the set deadline, is participation to the tender precluded?

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

This certification can be presented in two ways, i.e. inserting alternatively in Envelope A:

- an Inspection Certificate issued following a visit to the property, agreed with the contact person of the locally relevant State Property Office;
- a Declaration, to be produced by completing the Annex III form, which certifies knowledge of the condition of the assets.

The knowledge of the place, therefore, is left to the participant and can be understood both as a personal knowledge of the property and as having read, analysed and accepted the documentation made available.

Should it be impossible to carry out an inspection with the Representatives of the State Property Office, therefore, it is possible to certify knowledge of the assets by filling out Annex III and inserting it in the Envelope A.



15. Is it possible to request the supplementary technical documentation regarding the properties held for tender?

All the tender documentation, together with the available technical documentation, can be found on the Office's institutional website, via the "Gare e Aste/Immobiliare" path and is also available for viewing at the competent Local Directorate.

In particular, the *Information Memorandum* reports the technical insights on each individual asset (LOT) and on the reference context, the constraint situation (constraints, Ministry of Culture authorizations, etc.) and the administrative procedure, as well as the new possible uses and the possibilities offered on a territorial scale to support the initiative, it being understood that the recovery of the asset and the management of the new business are the responsibility of whoever is awarded the property.

16. Are social activities envisaged as a new cultural and social function and as service for local communities?

Yes, in consideration of the indications of the territorial, urban-planning and protection instruments in force, it will be possible to envisage a range of new functions consistent with the principles of the programme, from which, therefore, the establishment of functions of a cultural and social nature will not be excluded.

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

17. What could be the new functions to establish in the awarded properties?

The interventions and activities that the ETS can carry out and therefore the new uses attributable to the restricted assets owned by the State and managed by the Office, to be redeveloped via facilitated concession, are those indicated in Art. 5 letters f), i), k) or z) of Legislative Decree no. 117/2017:

- Interventions for the protection and enhancement of the cultural heritage and the landscape, pursuant to Legislative Decree no. 42 of 2004;
- Organization and management of cultural activities of social interest;
- Organization and management of artistic activities of social interest;
- Organization and management of recreational activities of social interest;
- Organization and management of editorial activities, promotion and dissemination of the culture and practice of volunteering;
- Organization and management of activities of general interest;
- Organization and management of tourist activities of social, cultural or religious interest;
- Redevelopment of unused public assets.

**SECTION IV: ELIGIBLE APPLICANTS**

1. Who can access the call for the assignment of facilitated concession for ETS promoted by the State Property Office?

Third sector entities that exclusively carry out one or more of the activities referred to in Art. 5, par. 1, lett. f), i), k) or z) of Legislative Decree no. 117/2017 (also indicated below) can participate in the tender promoted by the State Property Office:

- f) Interventions for the protection and enhancement of the cultural heritage and the landscape, pursuant to Legislative Decree no. 42 of 22 January 2004, as amended;
- i) Organization and management of cultural, artistic or recreational activities of social interest, including activities (publishing included) to promote and disseminate the culture and practice of volunteering and activities of general interest referred to in the same Art. 5;
- k) Organization and management of tourist activities of social, cultural or religious interest;
- z) Redevelopment of unused public assets or assets confiscated from organized crime.

2. Must the possession of the requirement linked to the activities carried out by ETS pursuant to Art. 5, par. 1, lett. f), i), k) or z) of Legislative Decree no. 117/2017 be declared by the participant in the tender?

Yes. Possession of the aforementioned requirement must be declared in the Application for participation in the procedure (Annex II) to be submitted together with the administrative documentation requested in ENVELOPE A - "Administrative Documentation".

In addition, the bidder must declare in the range of interventions and new functions proposed in Envelope B, "Project Proposal", one or more activities that they intend to propose with respect to the relevant interventions and new functions pursuant to Art. 5, par. 1, lett. f), i), k) or z) of Legislative Decree no. 117/2017, to be described and explored in all the components in which the Project Proposal is divided (Annex VI).

3. Does a Third Sector Entity that intends to participate in the call have to be registered in RUNTS?

Yes, the call for concessions is aimed at ETS registered in RUNTS, or ETS whose registration in RUNTS is being finalised.

4. Must possession of the requirement linked to registration in the RUNTS be declared by the participant in the tender?

Yes. Possession of the aforementioned requirement must be declared in the Application for participation in the procedure (Annex II) to be submitted together with the administrative documentation requested in ENVELOPE A - "Administrative Documentation".

5. Does the situation of a newly established ETS with RUNTS registration still pending need to be declared by the call participant?

Yes. In the case of participation of a newly established entity whose registration in RUNTS is, at the time of submission of the bid, still pending, the date of submission of the application for registration in RUNTS and the specific activity referred to in Art. 5, par. 1, lett. f), i), k) or z) indicated therein must be indicated in an ad hoc declaration. This declaration will be included in the Application for participation in the procedure (Annex II) to be presented together with the administrative documentation requested in ENVELOPE A - "Administrative Documentation".

6. Must the situation of an ETS with a request for registration in RUNTS still pending for integration/correction be declared by the participant in the tender?

Yes. In the case of Entities with a pending request for integration/correction, the specific activity referred to in Art. 5, par. 1, lett. f), i), k) or z) -already indicated in the application for registration in RUNTS- and the date of the request for integration/correction made by the competent office must be reported in an ad hoc declaration. This declaration will be included in the Application for participation in the procedure (Annex II) to be presented together with the administrative documentation requested in ENVELOPE A - "Administrative Documentation".

7. For the purposes of the call, when must registration in RUNTS be completed?

For the purposes of the tender, it is essential that at the time of the award of the tender the registration in the RUNTS is perfected. This both in the case of a newly established ETS with registration in RUNTS, and of ETS with a request for registration in RUNTS still pending integration/correction.

8. Is the tender for the assignment of the facilitated concession for ETS open to international ETS, to users of the European countries members of the eIDAS node or to those who do not have their registered office in Italy?

The condition for awarding the facilitated concession is that the ETS has completed its registration in the RUNT at the time of the award, regardless of the international nature of the ETS, of being a user of the European countries adhering to the eIDAS node or of the location of its headquarters.

**SECTION V TERMS AND CONDITIONS FOR LODGING A TENDER**

### 1. How should tenders be lodged?

Tenders must be lodged (by mail or by hand delivery) with the address indicated in the Invitation to Tender within the peremptory deadline of **11 December 2023 at 12:00**, presenting them in a sealed envelope in any way that prevents them from being opened without leaving obvious tampering.

Three separate sealed envelopes must be inserted inside the envelope, under penalty of exclusion:

- an ENVELOPE called "*A - Administrative Documentation*";
- depending on the number of relevant lots, as many ENVELOPES called "*B - Project Proposal - Lot...*" (specifying the lot for which the bid is being lodged);
- depending on the number of relevant lots, as many ENVELOPES called "*C - Economic-Timeline Bid - Lot...*" (specifying the lot for which the bid is being lodged).

All envelopes must be sealed on the closing flaps and bear, in addition to the aforementioned wordings, also the sender's header.

Envelopes received after the indicated deadline will be considered as not received, therefore they will not be opened and can be returned to the sender upon written request.

Tenders sent by e-mail will not be considered.

### 2. Can the tender documentation be drafted in a foreign language?

No, providing a bid in a foreign language is not sufficient for the purposes of the application.

Bidders must present:

- for the documents referred to in ENVELOPE A, a sworn translation in Italian;
- for all other documents, a simple translation in Italian, it being understood that, even in this case, the Commission will only take into account what is represented in the translation itself.

### 3. What should Envelope A contain?

**ENVELOPE A - "ADMINISTRATIVE DOCUMENTATION"** must contain the following deeds and documents, to be submitted in the manner described in the Invitation to Tender:

- ✓ The application to participate in the procedure (**Annex II**);
- ✓ The certificate of inspection issued during the inspection (one for each lot selected) or, alternatively, a declaration certifying full knowledge of the state of the site (**Annex III**);
- ✓ A Personal Declaration of Certification (**Annex IV**) in which the bidder declares:
  - o Not to fall in the causes of exclusion referred to in Art. 80 of Legislative Decree no. 50/2016;
  - o To accept the content of the tender documents, including Annex A - Privacy Information, to be inserted in the Envelope A duly signed;
- ✓ a bank reference issued by a credit institution;
- ✓ Declaration of commitment to make use, for the execution of the interventions, exclusively of companies qualified to carry out the interventions, in line with the current regulations on Public Works (**Annex V**);
- ✓ The provisional deposit, equal to € 2,000 (two thousand Euro).

### 4. Are there any specific formalities for the lodging of Envelope A by a temporary joint-venture or consortium?

Yes, in the Invitation to Tender, further formalities are envisaged with reference to the procedures for lodging applications by temporary joint-ventures, ordinary consortia and stable consortia/consortia between cooperative companies; therefore, please refer to the detailed reading of point 4.3.1 of the Invitation to Tender.

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

The provisional deposit is placed as a guarantee of the correct participation in the tender and also offsets the potential failure to sign the concession deed by the successful bidder.

Please note that the provisional deposit is single regardless of the number of lots for which the bidder is participating in the tender and can be fully enforced with reference to each individual lot.

For State-owned properties, the deposit amounts to € 2,000.00.

6. How should the provisional deposit be given?

The provisional deposit can be given, at the bidder's choice, by means of a bank guarantee, an insurance policy, or by bank transfer. For further details, please refer to point 4.3.1, letter f) of the Invitation to Tender.

7. With regard to deposits, is a bank guarantee issued by a foreign bank valid?

Yes, provided that the guarantor is in possession of the authorization to issue guarantees by accessing the following websites:

<http://www.bancaditalia.it/compiti/vigilanza/intermediari/index.html>

<http://www.bancaditalia.it/compiti/vigilanza/avvisi-pub/garanzie-finanziarie/>

[http://www.bancaditalia.it/compiti/vigilanza/avvisi-pub/soggetti-non-legittimati/Intermediari\\_non\\_abilitati.pdf](http://www.bancaditalia.it/compiti/vigilanza/avvisi-pub/soggetti-non-legittimati/Intermediari_non_abilitati.pdf)

[http://www.ivass.it/ivass/impresе\\_jsp/HomePage.jsp](http://www.ivass.it/ivass/impresе_jsp/HomePage.jsp)

8. Is it possible to establish a provisional or definitive deposit with a banker's draft?

No, bidders cannot establish a provisional or definitive deposit with a banker's draft.

9. Will the provisional security be released upon award of the property?

Yes, upon award of the property, the deposit shall be released as soon as the deed is signed.

10. Will the provisional deposit be released if the property is not awarded? Yes,

the provisional security shall be released if the property is not awarded.

11. What should Envelope B contain?

Envelope B "*Project proposal - Lot...*" must contain the following deeds and documents, to be presented according to the

methods described in the Invitation to Tender:

a) The *Technical Report (Annex VI)* divided into: *Recitals*

1. Design Intentions
2. Compliance with Current Instruments

*Asset Management Project*

1. Description of the project that ensures the correct conservation, public use and best redevelopment of the asset

*Evaluation Elements*

1. Redevelopment and Conversion Hypotheses
2. Tourist Opportunity
3. Environmental Sustainability and Energy Efficiency

b) The *Guidance Materials* include:

*Technical Documentation*

1. Overview
2. New Uses
3. Interventions
4. Vision.

The Technical Report must, under penalty of exclusion, be completed in all its parts and duly signed, according to the format proposed in Annex VI.

Failure to present in Annex VI the materials referred to in part B) in point 1.d (Annex VI part, B) points 1.d.1 Classification, Annex 1.d.2 New uses, Annex 1.d.3. Interventions, Annex 1.d.4. Vision), will affect the score attributed to the relative evaluation element of the project proposal, but will not be a cause of exclusion.

All documents must be duly signed, it being understood that, in the event of omitted signature, the bidder will be asked to integrate them within a peremptory deadline (not exceeding ten days), after which the operator will be excluded from the tendering procedure.

## 12. What should Envelope C contain?

The **Envelope C "Economic-Timeline Bid - Lot..."** must contain the following deeds and documents, to be presented according to the methods described in the Invitation to Tender:

- a) Annex VII - *Economic-Timeline Bid*, which shall include:
  1. Concession fee;
  2. Concession duration;
- b) A *Business Plan* (BP) for hedging investments;
- c) *Summary sheet of costs, revenues and investments as set forth in Annex IX*.

It should be noted that:

- The fixed annual fee proposed cannot be lower than the minimum fee, as indicated in the tender notice, which is intended as the maximum facilitated fee
- The proposed Duration, under penalty of exclusion, must be between a minimum of 6 (six) years and a maximum of 50 years (fifty).

## 13. What is the maximum amount of relief for the annual fee indicated in the call of the State Property Office?

The minimum fee, the value of which for the current year is €235, is intended as the maximum facilitated amount of the annual fee to be paid.

## 14. Can the expenses incurred by the concessionaire be deducted from the annual concession fee?

Yes. The expenses incurred by the concessionaire for the interventions indicated will be deducted from the concession fee, guaranteeing the minimum fee which must in any case be paid by the concessionaire.

## 15. If the proposed fee is equal to the minimum fee, is it possible to deduct the expenses?

No. Whoever is awarded with the property undertakes to guarantee the minimum rental fee which must in any case be paid by the concessionaire.

## 16. For how long can expenses be deducted from the rent?

As indicated in Annex IX "Detailed sheet: costs, revenues and investments", those participating in the tender must indicate in the format of Annex IX the years for which the expenses incurred by the concessionaire for the indicated interventions will be deducted from the concession fee (within the term of the concession), guaranteeing the minimum survey fee which must in any case be paid by the concessionaire.

## 17. What is the final deadline for lodging a tender?

To participate in the procedure it is necessary to send the sealed envelope by the peremptory deadline of **11 December 2023 at 12:00**.

## 18. What are the grounds for exclusion provided for in the call?

The grounds for exclusion provided for in the call are listed below:

### ***As a general rule***

- Failure to include ENVELOPES A, B and C in the application envelope;
- In the event of participation in several lots, failure to insert as many envelopes B and as many envelopes C, as there are participation lots, as better specified in point 4.3 of the Invitation to Tender.

### ***With regard to ENVELOPE A***

- Failure to submit, within the peremptory deadline assigned (not exceeding ten days), deeds and documents requested by the State Property Office for clarification/integration;

### ***With regard to ENVELOPE B***

- Failure to include in ENVELOPE B - "Project Proposal - Lot...":
  - ✓ The *Technical Report* (Annex VI);
- Failure to complete in all its parts Annex VI - *Technical Report*;



- Failure to sign Annex VI - *Technical Report*;
- All of the *Guidance Materials* required;
- An indication in the Project Proposal of the elements of the Economic-Timeline Bid and, hence, of information on Fees and Duration proposed;

***With regard to ENVELOPE C and, more specifically:***

***i. To the format set forth in Annex VII "Economic-Timeline Bid":***

- Failure to include in ENVELOPE C the format referred to in Annex VII "Economic-Timeline Bid";
- Failure to sign the format referred to in Annex VII "Economic-Timeline Bid";
- Failure to specify the evaluation elements of Fee and Duration;
- Proposed fee lower than the minimum fee of €235 pursuant to Legislative Decree no. 546/1981, Ministerial Decree no. 258/1998 and Art. 10, par. 2 of Law no. 537/1993;
- Proposed duration not included within a minimum of 6 years and a maximum of 50 years;

***ii. To the Business Plan (BP) that will be drafted starting from Annex VIII:***

- Failure to submit the Business Plan (BP) duly signed or in the event of failure to submit the subscription of the BP by way of integration within a peremptory deadline assigned by the State Property Office (not exceeding ten days);
- Failure to explain the fee in line with the relative amount indicated in the format referred to in Annex VII "Economic-Timeline Bid";
- Failure to develop the BP for the entire duration of the concession proposed and reported in the format referred to in Annex VII "Economic-Timeline Bid";

***iii. To the format referred to in Annex IX "Costs, Revenues and Investments' Details Sheet":***

- Failure to present the Details Sheet fully filled-out and signed, by way of integration, within a peremptory deadline assigned by the State Property Office (not exceeding then days);

***In the event of a single bidder***

The "under penalty of exclusion" clauses provided for in the Invitation to Tender will not apply (and, in relation to the deficiencies found, a request for integration will be forwarded) with the exception of the following cases, in which **the exclusion of the bidder shall be carried out anyway:**

- Absolute absence of the Technical Report (Annex VI) referred to in point 4.3.2, letter a);
- Failure to indicate, in the context of the Economic-Timeline Bid referred to in Annex VII, the fee and/or duration;
- Indication, in the context of the Economic-Timeline Bid referred to in Annex VII, of a fee lower than the minimum fee of €235 pursuant to Legislative Decree no. 546/1981, to Ministerial Decree no. 258/1998 and to Art. 10, par. 2 of Law no. 537/1993;
- Indication, in the context of the Economic-Timeline Bid referred to in Annex VII, of a duration not included between 6 and 50 years.

19. For the lodging of the *Project Proposal* and of the *Economic-Timeline Bid*, are the relevant attachments available in digital version? In order to facilitate their comprehension, should they be filled out digitally?

Yes, they are published in an editable format to facilitate their compilation in compliance with the provisions contained in the Invitation to Tender.

20. Are the 1500 characters required as maximum limit for the compilation of various items of the *Project Proposal* (Annex VI) to be understood as including or excluding spaces?

It is specified that the required characters limitation set forth for the various items to be filled out in Annex VI are to be understood as including spaces.

21. How should the environmental sustainability and energy efficiency issues be considered with regard to the constraints for properties of cultural interest?

Each bidder is called, with respect to the property for which he/she participates in the tender procedure, to propose the solution he/she deems most suitable in compliance with the environmental constraints and the existing territorial and urban-planning instruments. The project idea presented must focus on the aspects indicated in the Invitation to Tender, which include environmental sustainability and energy efficiency.

As indicated in the Invitations, for all the assets subject to tender, all the works are by law subject to the opinion of the competent administrations in the field of protection of cultural assets and to any provisions eventually issued so that the proposed redevelopment intervention can guarantee the maximum protection and safeguarding of valuable properties.

The project proposal presented will be developed in the definitive/executive phase and submitted to the necessary authorizations by the competent Bodies in order to begin the works.

Indeed, in the final and/or executive architectural design phase following the award, the winning proposal must be submitted for the approval of the competent Bodies in building and protection matters, and the choices relating to the interventions must be detailed and supported by appropriate analyses and technical documents (e.g. characters study, degradation analysis, details of construction techniques and materials, of recovery interventions on surfaces and structures, of distribution and plant engineering solutions, environmental impact study, etc.).

The projects submitted to the attention of the Authorities and Administrations competent in the field of territorial and urban planning and protection must in any case maintain characteristics of full compliance with what is proposed in the project.

However, the possibility of a preliminary confrontation between the successful bidder and the competent Administrations responsible for the current protection of territorial and urban planning is not excluded, so that it can be verified whether the project thus developed is to be considered, in advance, compatible with the preservation of the asset.

It should also be remembered that, due to their nature, the properties subject to redevelopment are often at the centre of the interests of subjects who operate on the territory in defence of the environment and the cultural heritage and who can carry out spontaneous movements of opinion, with a strong media impact. It is, therefore, recommended that the proposed project should also take into consideration the different local sensitivities.

22. Is it necessary for the project designer appointed by the applicant to participate in the call for tenders?

No, resorting to a designer for the drafting of the *Project Proposal* is a faculty of the competitor, who, in any case, is required to sign the *Project Proposal*.

23. Is it necessary to declare the commitment to make use of qualified companies for the execution of the interventions?

Yes. Envelope A "Administrative Documentation" includes the declaration of commitment, in compliance with Annex V, to make exclusive use, for the execution of the interventions, of companies qualified to carry out the interventions in line with the current regulations on Public Works, i.e. in possession of regular SOA certification in the OG2 category in the relevant classification, or of the requirements pursuant to Art. 90 of Presidential Decree no. 207/2010 should the works cost equal to or less than € 150,000;

24. Should the value of the redevelopment works be present in the *Project Proposal*?

No, the *Project Proposal*, to be included in ENVELOPE B, must not contain any element concerning the Economic-Timeline Bid

and, therefore, it shall not contain any indication of the fee and duration offered, nor indications regarding investments, costs and revenues.

25. Should the investment hedging resources related to the redevelopment works be pointed out in the *Project Proposal*?

No, the *Project Proposal*, to be included in ENVELOPE B, must not contain any element concerning the Economic-Timeline Bid

and, therefore, it shall not contain any indication of the fee and duration offered, nor indications regarding investments, costs and revenues.

26. While presenting the Business Plan, is it mandatory to use the BP format contained in Annex VIII?

No. The BP's format provided by the State Property Office contains quantitative information for the economic-financial representation of the *Proposal* presented and is provided by way of example. It is the faculty of the individual bidder to fill in the proposed BP model or to prepare his/her own model, that shall in any case be relevant to the aims of the project.

**SECTION VI: ASSESSING THE BIDS**

### 1. How are the bids assessed?

The concession will be awarded with the criterion of the most economically advantageous bid on the basis of the elements indicated in the table below.

ASSESSMENT ELEMENTS			REFERENCE	WEIGHTING FACTORS	SCORE
QUALITATIVE ELEMENTS	1)	REDEVELOPMENT AND CONVERSION HYPOTHESES	Project Proposal	P1=30	80
	2.	RETURN FOR THE TERRITORY	Project Proposal	P2=30	
	3)	ENVIRONMENTAL SUSTAINABILITY AND ENERGY EFFICIENCY	Project Proposal	P3=20	
QUANTITATIVE ELEMENTS	4)	FEE	Economic-Timeline – Bid	P4=10	20
	5)	DURATION	Economic-Timeline – Bid	P5=10	

### 2. How is the redevelopment and conversion of the property assessed?

The assessment of the *hypothesis of redevelopment and conversion* of the building is crucial in order to verify the coherence of the *Project Proposal* with the general principles of the project and with the territorial context of reference, above all in relation to the settlement of the future functions and the modalities of recovery of the property, which the bidder intends to develop to ensure correct conservation, opening to public use and the best redevelopment of the asset, in compliance with the protection constraints and the indications of the local government plan.

The new uses attributable to the restricted assets to be redeveloped, as well as the methods of intervention envisaged, must be placed within the scope of the envisaged activities of general interest:

- a) Interventions for the protection and enhancement of the cultural heritage and the landscape, pursuant to Legislative Decree no. 42 of 2004;
- b) Organization and management of cultural, artistic or recreational activities of social interest, including activities (publishing included) to promote and disseminate the culture and practice of volunteering and activities of general interest;
- c) Organization and management of tourist activities of social, cultural or religious interest;
- d) Redevelopment of unused public assets.

### 3. How is the Return for the Territory assessed?

The return for the territory constitutes a qualitative element of evaluation of the project proposals, with regards to the activity which the bidder intends to develop for the reuse of the property, in terms of economic and social benefit for the area involved, but also of contribution to the development of new activities, as indicated in Art. 5 letters f), i), k), z) of Legislative Decree no. 117/2017, highlighting the added value of the project as a general and social interest linked to the activities that will be developed - cultural, artistic, recreational, editorial, tourist, promotion and dissemination of the culture and practice of volunteering or of general interest.

The score will be assigned with reference to the following aspects: a) return for the territory and response to the needs of general interest, to be explained with reference to the analysis of the context and of the programming tools in force; b) cooperation and participation, to be highlighted as regards the construction of networks and forms of collaboration; c) innovativeness of the services/products offered, linked to the realization of the innovative activities and services proposed also through digital solutions and technology; d) public usability through programming that allows the public to use the valued asset.

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

This qualitative element considers the elements characterizing the proposal according to the principles of environmental sustainability and energy efficiency, to carry out interventions of protection, enhancement, redevelopment of cultural heritage and the landscape, pursuant to Legislative Decree No. 42 of 2004,

that are environmentally sustainable and energetically efficient, as well as the specific "green friendly" actions that the bidder intends to implement in terms of redevelopment and protection of the environment, also for the benefit of future generations, and improvement of the energy performance of the asset attained by reducing consumptions and implementing renewable sources, with reference to the "Guidelines for the Improvement of Energy Efficiency in the Cultural Heritage" (Decree of the General Director of the Republic no. 701 of 20 August 2013) in the case of restricted assets.

The score will be awarded by taking into account the following aspects: use of bio-eco-compatible materials, bioclimatic techniques and devices, the implementation of sustainable construction site's management, the solutions in favour of soft mobility and the improvement of the building's energy performance and the use of low-consumption devices.

#### 5. What does "green building" mean?

Green buildings entail a complex of construction techniques, usually traditional, aimed at realizing the principles of green architecture and environmental sustainability, i.e. guaranteeing the needs of ecosystemic living, in a broad and holistic sense. Green building techniques include the choices of non-harmful and ecological natural materials, free of potential indoor pollution, as well as the technological choices that reduce energy consumption, do not involve the use of additional energy (passive devices) and that safeguard the environment and the well-being of users.

#### 6. What does "sustainable construction site's management" mean?

All those measures aimed at reducing the environmental impact of the construction site, and which in particular may concern noise and atmospheric pollution, as well as the management of waste and resulting materials, all fall within the term "Sustainable construction site's management". Among these solutions, the use of dry technologies for constructions can also be counted, which reduce wet construction site waste, as well as pollutants dispersed into the atmosphere at the end of their life.

#### 7. If a property does not have any installation, is it still possible to produce the Energy Performance Certificate (APE) before the construction work?

No, in that case it will not be necessary to produce the APE before the construction work, but only the one with the forecast of the energy performance after the construction is done. The assessment will be made, by convention, by starting with class G.

#### 8. What does "architecturally-integrated renewable sources" mean?

All the technological solutions that make it possible to harmonize the elements that make up the system (e.g. photovoltaic panels) with the surfaces on which they are installed (e.g. a pitched roof), minimizing their visibility or making them a sign of recognition of the project (e.g. a micro wind turbine that becomes a landmark), are hereby considered to be "architecturally-integrated renewable sources".

#### 9. How is the proposed fee assessed?

The fee offered is the amount in Euro of the annual fee that the bidder undertakes to pay, in a fixed amount, for the proposed duration of the concession. This fee, under penalty of exclusion, cannot be lower than the minimum fee of €235 pursuant to Legislative Decree no. 546/1981, to Ministerial Decree no. 258/1998 and to Art. 10, par. 2 of Law no. 537/1993. The maximum score for this evaluation element will be attributed to the highest fee.

#### 10. Are there any concessions for the payment of the fee?

The expenses incurred by the concessionaire for the interventions indicated will be deducted from the concession fee, guaranteeing the minimum fee which must in any case be paid by the concessionaire, as indicated in Annex IX "Detailed sheet: costs, revenues and investments". Those participating in the tender must indicate in the format of Annex IX the years for which the expenses incurred by the concessionaire for the indicated interventions will be deducted from the concession fee (within the term of the concession), guaranteeing the minimum survey fee which must in any case be paid by the concessionaire.

#### 11. How is the proposed duration assessed?

The duration is the measure in years of the duration proposed for the concession, to be expressed, under penalty of exclusion, between a minimum of 6 (six) years and a maximum of 50 (fifty) years. The maximum score for this evaluation element will be attributed to the lowest duration.

### 12. What is the scoring method?

Scores are attributed based on the compensatory aggregation method.

### 13. What is the calculation method for the Technical Bid?

As states above, scores are attributed based on the compensatory aggregation method.

In particular, each member of the Commission attributes - on the basis of the table contained in the Invitation to Tender - a coefficient, variable between zero and one, to each assessment element.

Subsequently, the averages of the coefficients assigned by the commissioners are calculated and transformed into definitive coefficients, bringing the highest average back to one and proportioning the provisional averages previously calculated to this maximum average.

Then, each definitive coefficient is multiplied by the relative weighting factor, thus attributing a score to each assessment element.

Finally, all the scores attributed to the assessment elements in reference to each bidder are added up.

### 14. How is the scoring for the Economic-Timeline Bid calculated?

The score of the *Economic-Timeline Bid* is the sum of the scores relating to the *Fee* - ( ) - and the *Duration* - ( ) - offered by each bidder.

### 15. What is the scoring method for the proposed fee?

The score relating to the Fee offered by the single bidder is attributed according to the following formula:

$$P(a)C = PC * V(a)C = \frac{C(a)}{10 * C(max)}$$

Where:

P(a)C = Score of the Bid (a) related to the Fee

PC = Weight attributed to the Fee in points, that is 10

V(a)C = Coefficient of the performance of the bid with respect to the Fee, variable between 0 and 1

C(a) = Fee proposed by bidder (a)

C(max) = Maximum fee offered in the tender

### 16. What is the scoring method for the proposed duration?

Similarly to the method used to evaluate the fees offered, the score relating to the Duration offered by the individual bidder is attributed according to the formula below:

$$P(a)D = PD * V(a)D = \frac{D(min)}{10 * \frac{D(a)}{D(max)}}$$

Where:

P(a)D = Score of the Bid (a) related to the Duration

PD = Weight attributed to the Duration in points, that is 10

V(a)D = Coefficient of the performance of the bid with respect to the Fee, variable between 0 and 1

D(a) = Duration proposed by bidder (a)

D(min) = Minimum duration offered in the tender

### 17. What happens in the event of discrepancy between the tender documents?

The following order of precedence is observed:

1. Invitation to Tender;  
Outlines of Concession Deed (Annex )  
Information Memorandum.

18. What happens in the event of discrepancy between the Economic-Timeline -bid and the Business Plan?

The BP, under penalty of exclusion, must include the same fee indicated in the Economic-Timeline Bid referred to in Annex VII and be developed for the entire duration of the concession proposed within the same Economic-Timeline Bid.

**SECTION VII: IDENTIFYING THE CONTRACTOR**



### 1. What happens after the deadline for the tenders' lodging?

Once all the bids have been received within the prescribed times, on the day and at the times indicated in the Invitation to Tender, a specially constituted Tender Commission will open the envelopes in a public session, examining and verifying the documentation contained in Envelope A, without prejudice to the envisaged possibility of requesting clarifications/integrations.

The same Commission will proceed, in public session, with the opening of the admitted bidders' Envelope B, in order to verify the presence and completeness of the relative content, without prejudice to the envisaged possibility of requesting the signing of the Guidance Materials.

Subsequently, in a private session, the Commission will examine the projects, it being understood that those of any bidders who are recipients of the aforementioned request for integration will be examined only after the definition of the relative position. Subsequently, the Commission will proceed to assign the scores, as indicated in paragraph 5 of the Invitation to Tender and, in particular, in point 5.6.1.

Once the technical scores have been assigned, the Commission will proceed, in public session, to announce any exclusions from the call and to read the assigned scores; in the same public session, the Commission will open Envelope C "*Economic-Timeline Bid*", verify the presence and completeness of the relative content and, except for the envisaged integration hypotheses, will in any case read the Economic-Timeline Bid referred to in 'Annex VII.

The calculation of the score relating to the Economic-Timeline Bid will follow, as indicated in point 5 of the Invitation to Tender and, in particular, in point 5.6.2, it being understood that, in the event of integration requests, said score may be calculated for all competitors only after the definition of the position of the recipient operators. The score in question will be announced by the Commission in public session, with the simultaneous communication of the overall scores and identification of the best bid.

### 2. What happens once the best bid has been identified?

Once the best bid has been identified, the State Property Office will formalize the award decision, conditioning the effectiveness of the provision to the successful outcome of the verification of possession of the requirements declared by the successful bidder during the tender, carried out at a territorial level, as well as to the presentation, within the peremptory deadline of 60 (sixty) days, to the competent Local Directorate, by the successful bidder, of the sworn Business Plan produced for participation in the tender, issued by a credit institution or by companies registered in the general list of financial intermediaries, pursuant to Art. 106 of Legislative Decree no. 385 of 1 September 1993, or by an auditing firm.

### 3. What happens when two or more bidders obtain the same overall scores?

In the event that the bids of two or more bidders obtain the same overall score, but different scores for the *Project Proposal* and the *Economic-Timeline Bid*, the bidder who has obtained the best score on the *Project Proposal* will be placed first in the ranking.

### 4. What happens when two or more bidders obtain the same overall scores and the same partial scores?

In the event that the bids of two or more bidders obtain the same overall score and the same partial scores for the *Project Proposal* and the *Economic-Timeline Bid*, lots will be drawn in a public session.

### 5. Who should submit a sworn BP?

To access the award phase, the best bidder identified must present within the peremptory deadline of 60 (sixty) days starting from the request of the Local Directorate, the sworn statement of the Business Plan produced 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, pursuant to Art. 106 of Legislative Decree no. 385 of 1 September 1993, or by an auditing firm.

### 6. What happens if only one bidder lodges a tender?

In the case of a single bidder, no score will be assigned; however, the *Project Proposal*

will in any case be assessed as a whole and will not be awarded if deemed overall invalid from a design point of view. In the case of a single bidder, the "under penalty of exclusion" clauses provided for in the Invitation to Tender will not apply (and, in relation to the deficiencies found, a request for integration will be forwarded) with the exception of the following cases, in which **the exclusion of the bidder will be carried out anyway**:

- Absolute absence of the Technical Report (Annex VI) referred to in point 4.3.2, letter a);
- Failure to indicate, in the context of the Economic-Timeline Bid referred to in Annex VII, the fee and/or duration;
- Indication, in the context of the Economic-Timeline Bid referred to in Annex VII, of a fee lower than the minimum fee of €235 pursuant to Legislative Decree no. 546/1981, to Ministerial Decree no. 258/1998 and to Art. 10, par. 2 of Law no. 537/1993;
- Indication, in the context of the Economic-Timeline Bid referred to in Annex VII, of a duration not included between 6 and 50 years.

#### 7. How are the dates of the public sessions communicated?

The dates of non-consecutive public sessions are published on the State Property Office's institutional website.

The bidder will be able to attend the public sessions directly or through a delegate with a proxy.

#### 8. Starting from the deadline for lodging tenders, what timeframes can be assumed for the selection of the concessionaire?

The Commission shall begin working once the tender is closed and the duration of its assessments will depend on the number of bids collected and their complexity.

As a rule, the assessment is estimated to take at least two to three months.

For the purpose of the award, the verifications required by law will also be carried out, which are expected to last approximately two months.

#### 9. For the purpose of subscribing the deed, are there any requirements for the successful bidder who does not have residence or registered office in Italy? in Italy?

Yes, the successful bidder, if resident or having its registered office in a country other than Italy, will have to transmit to the competent Regional Directorate of the State Property Office the Italian tax code assigned at the request of the interested party by the Italian Revenue Agency for the fulfilment of fiscally relevant deeds in the territory of the Italian Republic.

**SECTION VIII: ELEMENTS OF THE CONCESSION/RENTAL RELATION**

## 1. What are the essential elements of the concession relation?

**Property redevelopment works** - the contractor undertakes to carry out the works within the term of 48 months from the signing of the concession deed, without prejudice to the possibility of any extensions of the same, as well as to provide the State Property Office with the documentation certifying the completion of the works and the necessary certifications, including, by way of example, the certification relating to the usability of the building and the technical data sheet of the materials used and the work performed. The Concessionaire must also provide the technical-administrative documentation relating to the cadastral update.

**Definitive deposit** - in order to guarantee all the charges deriving from the concession, including the correct execution of the works and the payment of the fee, the contractor must present:

### **On the occasion and for the purpose of signing the deed:**

a) a first definitive deposit for the period of 48 months from the signing of the concession, in the amount of 10% of the sum of the amount of the investments envisaged for the execution of the works - as summarized in the summary sheet of costs, revenues and investments referred to in Annex IX - and of the fees due for the guaranteed period (48 months); the guarantee in question will be released on the date of issue of the second definitive deposit;

### **Upon expiry of the 48-month period from the signing of the concession:**

b) The second definitive deposit, which may alternatively:

- ⊖ Have a validity equal to the residual duration of the concession and an amount equal to 10% of the fees due for the residual duration of the concession. This deposit will be progressively released over the years according to the progressive reduction of the total value of the fees due;
- ⊖ have a duration of no less than five (5) years and an amount equal to 10% of the fees due for the guaranteed period; this deposit must be extended or renewed for a period of no less than five (5) years until the conclusion of the concession. The renewal or extension must be carried out, under penalty of forfeiture, at least 90 (ninety) days before the expiry date, also with another credit or insurance institution.

**Insurance policy(s)** - For State-owned properties, the Concessionaire/Lessee, before commencing the works, must sign, at his/her own expense and under penalty of forfeiture, an adequate insurance policy(s) with a leading insurance company, to be sent to the State Property Office, to cover all the following risks:

- ⊖ Before and during the execution of the Works, the Third Party Liability (TPL, or *Responsabilità Civile verso Terzi - RCT*) to cover damage to persons and damage to things, the Employer's Civil Liability (or *Responsabilità Civile verso Prestatori d'Opera - RCO*) and the total or partial loss - including fire, lightning, explosion and other ancillary risks - of the Property subject to concession, with a limit not lower than the value of the non-redeveloped Property;
- ⊖ Once the Works have been completed, before starting the activities envisaged in the *Project Proposal* and for the entire residual duration of the concession, the Third Party Liability (TPL, or *Responsabilità Civile verso Terzi - RCT*) to cover damage to persons and damage to things, the Employer's Civil Liability (or *Responsabilità Civile verso Prestatori d'Opera - RCO*) and the total or partial loss - including fire, lightning, explosion and other ancillary risks - of the Property subject to concession, with a limit not lower than the value of the non-redeveloped Property. This limit will 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 past years.

**Plaque** - For the purpose of promoting and encouraging the establishment of the Network Projects - Valore Paese Italia and ensure its systematic development, among the concessionaire's commitments, the obligation to create and affix the programme's identification plaque has also been foreseen, according to the provisions indicated by the State Property Office and according to the provisions of law in force.

**Business Network** - Again, in order to promote and encourage the establishment of the Network Projects - Valore Paese Italia and ensure its systematic development, it has been envisaged, among the concessionaire's commitments, where required by the State Property Office, to be part of a "business network" of economic operators who manage tourist-accommodation facilities coordinated by the State Property Office or by other public administrations adhering to the initiative.

## 2. With regard to deposits, is a bank guarantee issued by a foreign bank valid?

Yes, provided that the guarantor is in possession of the authorization to issue guarantees by accessing the following websites:

<http://www.bancaditalia.it/compiti/vigilanza/intermediari/index.html>

<http://www.bancaditalia.it/compiti/vigilanza/avvisi-pub/garanzie-finanziarie/>

[http://www.bancaditalia.it/compiti/vigilanza/avvisi-pub/soggetti-non-legittimati/Intermediari\\_non\\_abilitati.pdf](http://www.bancaditalia.it/compiti/vigilanza/avvisi-pub/soggetti-non-legittimati/Intermediari_non_abilitati.pdf)  
[http://www.ivass.it/ivass/imprese\\_jsp/HomePage.jsp](http://www.ivass.it/ivass/imprese_jsp/HomePage.jsp)

### 3. How should the final deposit be given?

The definitive deposit may be given by means of a bank guarantee or insurance policy issued by banking or insurance companies that meet the requirements of Art. 93, par. 3 of Legislative Decree no. 50/2016, and must expressly provide for:

- The waiver of the benefit of preventive enforcement of the principal debtor pursuant to Art. 1944 of the Italian Civil Code;
- The waiver of the exception pursuant to Art. 1957, par. 2 of the Italian Civil Code;
- The relative operational capability within 15 days, upon simple written request from the Office.

### 4. With regard to the facilitated concession for ETS, is the sub-concession of activities allowed?

No. The Art. 71, par. 3 of Legislative Decree no. 117/2017 - Third Sector Code - does not mention the possibility of sub-concession of economic or service activities.

### 5. What taxes and/or fees are levied on the properties?

The ordinary ones envisaged in real estate matters (IMU -TARI), the rates of which are governed, at a local level, with Regulations from the competent Municipal Administrations.

The provisions of a general nature must in any case be coordinated with any regulatory provisions that provide for concessions, including of a fiscal nature, in favour of certain categories of subjects for the use of public buildings for certain purposes.

### 6. What is the value to be considered for the compulsory insurance policies that will have to be stipulated?

With reference to insurance policies, before and during the execution of the works, the value of the property to be considered is that of the non-redeveloped asset; once the Works have been completed, before the start of the activity and for the entire residual duration of the concession, the value of the property to be taken into consideration is that of the redeveloped asset. The values of the properties are calculated by the State Property Office in accordance with ordinary techniques and taking into account the type, size, state of conservation and location of the property, as well as the market conditions.

### 7. Are there any urbanization or infrastructure construction charges related to the redevelopment of the property to be borne by the concessionaire?

Yes, the redevelopment interventions, ordinary and extraordinary maintenance and the connected works indicated in the *Project Proposal* presented in the tender are the responsibility of the Concessionaire (see Art. 7, annexes X - Outlines of Concession Deed).

### 8. Is the successful bidder obliged to start the business as proposed in the bid lodged during the tender procedure?

Yes, the successful bidder is obliged to implement the *Project Proposal*. As indicated in the deed outlines contained in the tender documentation, the State Property Office may organize inspections at the property, periodic checks and assessments aimed at verifying the execution and progress of the works based on the timeline indicated in the *Project Proposal* and the general performance of activities in compliance with current regulations and in compliance with the *Project Proposal* presented during the tender.

In the event of non-fulfilment by the concessionaire/lessee of all the obligations established and contained in the aforementioned outlines, the State Property Office is entitled to declare the immediate forfeiture/termination of the concession and the successful bidder is required to pay a penalty and compensation for any greater damage.

It being understood that the project proposal presented in the tender must be developed in the definitive/executive phase and will be subject to the necessary authorizations for the purpose of starting the works, to be requested from the competent bodies.

### 9. In the event of the award of multiple properties, does the failure to sign the deeds/agreements lead to the enforcement of the provisional deposit for each property?

Yes, the bidder remains bound to his/her offer for 240 days, starting from the expiry of the deadline set for the submission of applications. To guarantee the seriousness of the offer, a provisional deposit is placed, which shall be fully enforced by the granting body in the event of the successful bidder's failure to sign the deed. In particular,

the provisional deposit is single regardless of the number of lots for which the bidder is participating in the tender and can be fully enforced with reference to each individual lot.

10. What happens upon expiry of the concession agreement? How many times can it be renewed? Is compensation paid to the concessionaire?

As provided for in the outlines of the concession deed attached to the Invitation to Tender (Annexes X), upon expiry of the concession, the property shall return to the legal availability of the State Property Office, free and with every transformation, improvement, addition and accession made to it, whether or not they are included in the Works.

11. Is the investment envisaged for the redevelopment of the asset tax deductible?

In principle, the extraordinary maintenance costs incurred on third-party properties - therefore also in the case of state-owned properties - are tax deductible within the limits of the quota attributable to each financial year, based on statutory provisions (see Art. 108, par 3 of Presidential Decree no. 917/86).

The accounting standard OIC 24 ("*Intangible fixed assets*") states, in fact, that "*the amortization of the costs for improvements to third party assets is carried out in the lesser period between that of future utility of the expenses incurred and the residual period of the right to use of the asset (e.g. lease, concession, free loan, etc.) taking into account any renewal period, if dependent on the lessee*".

Specifically, each work will be evaluated in a timely manner by the successful bidder in accordance with the due procedures.

As regards the possibility of incentives and measures introduced by the Third Sector Code for Third Sector Entities, please refer to the website of the Ministry of Labour and Social Policies at <https://www.lavoro.gov.it/Pagine/default.aspx>. For information, the Guide also refers to "**the fundraising tools and forms of financing of general interest activities envisaged by the Third Sector Reform. Operational guide for the creation of partnerships between public bodies and third sector bodies and subjects**" defined in the context of the project "Co-Design – A shared administration", within the "Pon Inclusion 2014-2020" (System actions in support of the specific objective 9.7 "Strengthening the social economy"), financed with resources from the European Social Fund and implemented by the Ministry of Labour and Social Policies and Anci, with the collaboration of its Cittalia and IFEL Foundations. Closed on 9 December 2022.

The GUIDE examines the different **forms of fundraising** and the **methods of financing activities of general interest**, according to the activation of partnerships between ETS (Third Sector Entities) and public bodies in the light of the Third Sector Reform.

The GUIDE is available at the following link:

<https://www.anci.it/guida-per-la-creazione-di-partenariati/>

A CHECK-LIST OF ETS SUBJECTIVE PROFILES is also available at

<https://www.anci.it/check-list-dei-profilo-soggettivi-ets/>

**Tools, guides, insights and videos to facilitate access and procedures on the RUNTS platform** are available at the following link:

<https://www.cantiereterzosettore.it/gli-approfondimenti/come-utilizzare-la-piattaforma-del-registro-unico-nazionale-del-terzo-settore/>

For further information, please get in touch with:

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12. In the event of an award, if, following the signing of the deed, difficulties should arise in terms of authorisations, is it possible for the successful bidder to request extensions and/or refunds from the State Property Office or withdraw from the deed/contract in advance?

As indicated in Annex X (Concession Deed's Outlines), the Concessionaire must carry out the interventions within the maximum term of 48 (forty-eight) months from the signing of the handover document, without prejudice to the possibility of extension in any case not exceeding 36 (thirty-six) months.

He/she has no right to refunds or indemnities of any kind from the State Property Office; he/she has the right to withdraw in advance, for serious reasons, not before 48 months have elapsed from the signing of the deed of concession.