



GUIDE TO THE CALLS FOR BIDS

*Call for bids procedures to award public properties in
free concession/lease for valorization
in accordance with Article 3-bis Legislative Decree n. 351/2001,
passed into Law n. 410/2001*

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ADVISORY NOTICE

This is an explanatory guide to the Calls for Bids for competitors intending to participate in the public procedures initiated under the Lighthouses, Towers and Coastal Buildings 2018 project. It provides information and helps in the reading of the tender documentation and particularly of the territorial notifications (i.e. calls for bids).

This guide does not integrate with or replace the tender documentation.

*In case of any discrepancy between the information in this document and that given in the calls for bids - which, it is recalled, constitute *lex specialis* – what is indicated in the calls for bids and in the attached documents, following the order described in point 8.5 of the notifications, prevails.*

For additional information and/or clarification on the content of the tender documentation not contained in this guide, you may contact the Supervisors of the Procedure, exclusively in writing, in Italian and within the deadlines set by the procedures, at the e-mail addresses indicated in the territorial notices under section 1.10.

SECTION I: THE PROJECT

1. What is the *Lighthouses, Towers and Coastal Buildings* project?

It is a network project promoted by the Agenzia del Demanio with the Ministry of Defence, through Difesa Servizi SpA, launched in 2015, which aims at a model of *lighthouse accommodation*. The objective is to promote a form of sustainable tourism linked to the culture of the sea, respectful of the landscape and in line with protecting the environment that, in the chosen contexts, has outstanding beauty and great fragility and includes some of the most extraordinary Italian coastal territories.

Now in its fourth edition, the initiative has progressively developed and been framed within the Institutional Agreement signed by MiBACT, Ministry of Defence and MEF, on 27 July 2016. For its implementation, all the regions with parts of the Italian coast are involved, as the main players in the field of tourism, in strategies to promote and enhance tourism systems.

2. What are the objectives of the project?

By reclaiming/renovating and reusing coastal properties entrusted to private operators, the project intends to help boost the tourist-cultural offer and the networking of coastal properties, with a view to favouring the territorial exploitation of cultural and landscape resources and promoting responsible, sustainable and quality tourism.

3. How will the properties be assigned?

State properties will be granted according to Article 3-bis Legislative Decree n. 351/2001, Law n. 410/2001, which envisages entrusting the properties to leading private operators, selected by means of open procedures and having suitable economic-financial and technical-organizational requirements. It grants the right to use the property as a business activity for a period commensurate with achieving the economic and financial balance of the investment plan and the related management, and in any case not exceeding 50 years, in exchange for their renovation, reuse and ordinary and extraordinary maintenance. The concession fee is determined on the basis of market values, taking into account both the investment required for the renovation and conversion of the property, and the reduced initial profitability of the transaction.

4. For the 2018 edition, what are the methods used to implement the project?

For State properties, the Agenzia del Demanio is responsible for launching and managing the call for bids procedures at a territorial level with n. 9 notices published jointly by the Territorial Directorate to assign state-owned properties (i.e. those in their respective territory) under concession/lease for valorization under Article 3-bis Legislative Decree n. 351/2001.

Notices for call for bids can be consulted on the Agency's website, in the section *Competitions and Auctions - Properties*, as well as in the section dedicated to the *Lighthouses, Towers and Coastal Buildings* project.

5. What is the difference between concession and lease?

The difference between concession and lease derives from the legal nature of the property.

Properties/buildings of cultural interest pursuant to Legislative Decree n. 42/2004 are for concession, whereas leased properties are not of special cultural interest.

6. Where can I find information and read documentation about the project?

You can consult the website of the Agenzia website, in the section dedicated to the *Lighthouses, Towers and Coastal Buildings* project.

7. Are other public property owners also participating in the project?

Yes, starting from this edition, Territorial Agencies are also participating by launching tender procedures for properties they own, taking into account the date/s set by the Agency to publish the call for bids on state properties.

8. How can I get more information on properties owned by other entities, included in the call for concession/lease for valorization?

For properties owned by other agencies to grant concessions/leases for valorization, contact details can be found in the project section for those agencies participating in the *Lighthouses, Towers and Coastal Buildings* project, through the publication of concession/lease valorization tenders managed directly by them.

The other agencies owning public buildings are:

- Comune di Comacchio;
- Comune di Portovenere;
- Regione Siciliana;
- Comune di Rosignano Marittimo.

The call for bids to award these additional properties and the related deadlines are therefore managed by the owning agency, with the support of the Agenzia del Demanio.

SECTION II: LIGHTHOUSES, TOWERS AND COASTAL BUILDINGS 2018

1. How many tender procedures are being initiated by the Regional Directorates of the Agenzia del Demanio for concessions/leases for valorization?

The Territorial Directorates of the Agenzia del Demanio that have published the call for bids for concession/lease for valorization of the state properties are:

- *Directorate Campania;*
- *Directorate Emilia Romagna;*
- *Directorate Lazio;*
- *Directorate Liguria;*
- *Directorate Toscana and Umbria;*
- *Directorate Veneto.*

The notices of call for bids can be consulted on the Agency website, in the section **Gare e Aste - Immobiliare**, and in the section devoted to **LIGHTHOUSES, TOWERS AND COASTAL BUILDINGS, Bandi - Concessione/Locazione di Valorizzazione**.

2. What documentation is included in the call for bids?

The call for bids documentation consists of:

- Notice of the Call for Bids
- Attached A - Information pursuant to art. 13 of the Regulation (UE) 2016/679;
- Attached I - Property Sheet
- Attached II - Application for Participation
- Attached III - Declaration of knowing the condition of the properties
- Attached IV - Personal Declaration of Certification
- Attached V - Declaration of commitment
- Attached VI – Project Proposal - *Technical-Illustrative Report*
- Attached VII - Business-Schedule Offer
- Attached VIII – FBP Financial-Business Plan (*PEF Piano Economico Finanziario*)
- Attached IX - Details of costs/revenue/investments
- Attached X - Scheme of the concession deed
- Attached XI - Scheme of lease contract
- *Information Memorandum* with attachments (including Urban Planning Certificate, Agreed Memorandum of Understanding, Verification of Cultural Interest, eventual authorization for Concession);

3. What properties are included in the call for bids published by the Agenzia del Demanio (State Property Office)?

For each Regional Call for Bids published on the Agenzia del Demanio website, the table here shows the related lots (individual properties) in concession/lease for valorization:

Notice	Call for bids procedure (Territorial Directorate)	Lot n.	Name of Individual Properties	Region/Comune	Supervisor in charge of procedure - RUP	Contact Person for Inspection
1	Campania	1	FORMER ARMOURY COMPLEX	Campania/Bacoli	Luigi Di Cristo	Antonella Ciochi
2	Emilia Romagna	1	EX SUMMER CAMP ONFA CHARITY	Emilia Romagna/Ravenna - Punta Marina	Luciana Scrivano	Salvatore Michele Di Bari Luciano D'Urzo
3	Liguria	1	SIGNALLING TOWER BUILDINGS PORTOFINO	Liguria/Camogli	Michela Scappaticci	Michela Scappaticci
4	Toscana and Umbria	1	FORT of CASTAGNETO CARDUCCI	Toscana/Castagneto Carducci	Antonella Vadalà	Chiara Di Sepio

	Toscana and Umbria	2	VILLA CELESTINA	Toscana/Rosignano Marittimo	Antonella Vadalà	Chiara Di Sepio
5	Veneto	1	OCTAGONAL FORTIFICATION ISLAND CA' ROMAN	Veneto/Venezia	Ferdinanda Caruso	Italo Celiento

4. Which properties are in concession for valorization and which will be entrusted as leases for valorization?

Notice	Call for bids procedure (Territorial Directorate)	Lot n.	Name Individual Properties	Region/Comune	Valorization procedure
1	Campania	1	FORMER ARMOURY COMPLEX	Campania/Bacoli	CONCESSION OF VALORIZATION
2	Emilia Romagna	1	EX SUMMER CAMP ONFA CHARITY	Emilia Romagna/Ravenna - Punta Marina	LEASE OF VALORIZATION
4	Liguria	1	SIGNALLING TOWER BUILDINGS PORTOFINO	Liguria/Camogli	CONCESSION OF VALORIZATION
5	Toscana and Umbria	1	FORT of CASTAGNETO CARDUCCI	Toscana/Castagneto Carducci	CONCESSION OF VALORIZATION
	Toscana e Umbria	2	VILLA CELESTINA	Toscana/Rosignano Marittimo	CONCESSION OF VALORIZATION
6	Veneto	1	OCTAGONAL FORTIFICATION ISLAND CA' ROMAN	Veneto/Venezia	CONCESSION OF VALORIZATION

5. Where can I find information on the properties?

On the Agenzia del Demanio website, among the call for bids documents is the Attached I - *Technical descriptive list of lots/properties* and the *Information Memorandum*.

6. What is the *Information Memorandum*?

This is a tender document for each property for valorization concession/lease. It provides an information framework and overview of the territorial and regulatory context, useful for drafting the Technical Proposal to participate in the call. It details the new functions and modes of intervention allowed, always respecting the procedures of historical-artistic and environmental protection and the urban and territorial planning in force.

7. Can supplementary information and/or clarifications on the contents of the documentation be requested from the Supervisors of the Procedure?

Yes, additional information and/or clarifications on the content of the documentation concerning the tendering procedure, can be requested, exclusively in writing and in Italian, from the Supervisors of the Procedure at the e-mails indicated in the regional notices, as shown here:

Tender Procedure	Supervisors/RUP	E-MAIL
-------------------------	------------------------	---------------

Territorial Directorate Campania	Luigi Di Cristo	luigi.dicristo@agenziademanio.it
Territorial Directorate Emilia Romagna	Luciana Scrivano	luciana.scrivano@agenziademanio.it
Territorial Directorate Liguria	Michela Scappaticci	michela.scappaticci@agenziademanio.it
Territorial Directorate Toscana and Umbria	Antonella Vadalà	antonella.vadala@agenziademanio.it
Territorial Directorate Veneto	Ferdinanda Caruso	ferdinanda.caruso@agenziademanio.it

8. What is the deadline to make any requests to the Supervisor of the Procedure?

Any additional information and/or clarifications about the content of the documentation must arrive between **September 3, 2018** and **November 6, 2018**.

9. What is the timing for the Supervisor of the Procedure to respond to any requests?

Supervisors of the Procedure will respond by e-mail to all questions received from bidders by **November 13, 2018**.

SECTION III: SELECTING PROPERTIES FOR CONCESSION/LEASE

1. To participate in the regional procedure, is it necessary to indicate a specific property?

Submitting a request to participate in the tender procedure on a territorial basis must be related to one or more specific property (lot).

2. Are there limits to participating in regional calls for bids?

No, competitors can also participate in all the territorial tenders.

3. How many properties can I apply for in the same territorial call for bids?

There are no limits on the number of applications for participation; each participant can submit as many applications as the total number of lots in the territorial tender.

By way of example, if a competitor is interested in two properties/lots in the call for bids published by regional management of Toscana and Umbria, they should submit a request to participate in the territorial bidding procedure, one for each property, together with a project proposal and a business-schedule offer.

4. In the case of participating in several lots in the same regional notice, how should the offer be presented?

When participating in several lots related to the same regional notice, the applicant must submit a single package containing, under penalty of exclusion:

- an ENVELOPE marked "A - *Administrative Documentation*"
- as many ENVELOPES marked "B - *Project proposal - Lot*" (indicating the lot to which the offer refers), as there are lots of participation (e.g. if you participate in two lots then two separate envelopes B must be inserted, one containing the project proposal for Lot 1 and the other for Lot 2)
- as many ENVELOPES marked "C – *Business-Schedule Offer – Lot.....*" (indicating the lot to which the offer refers), as there are lots of participation (e.g. if you participate in two then two separate envelopes C must be inserted, one containing the *Business-Schedule Offer* pertaining to Lot 1 and the other relating to Lot 2).

5. Are there any limits on submitting proposals?

Yes, there are limitations related to group participation.

On this point, it should be noted that within each individual lot, it is forbidden:

- for competitors to participate in more than one pool or consortium;
- for competitors to also participate in individual form if participating in an associated form;
- for consortium members, for which the consortium between cooperatives/consortium between craft enterprises is competing and for the consortium members for which a 'special' consortium is competing, to participate in any other form; in case of non-observance of this prohibition, both the consortium and the consortium members will be excluded from the procedure and art. 353 c.p will be applied.

6. If properties of interest are comprised in tenders issued by different Territorial Departments, can a single application be filed together, for each property, with the relative offers?

No; each Territorial Department manages the public procedure for the properties in their own jurisdiction; if the properties of interest constitute lots related to tender notices published by different Territorial Departments, the same number of applications must be presented as the number of contracting Territorial Departments, together with the relative offers.

By way of example, if a competitor is interested in three properties, two located in the Toscana and Umbria Region and one in the Puglia Region, they should submit:

- an application to participate in the tendering procedure issued by the Regional Department of Toscana and Umbria, together with the relative offers for each property, (*Project Proposal and Business-Schedule Offer*);
- an application to participate in the tendering procedure issued by the Regional Department of Campania, together with the relative offers for the single property (*Project Proposal and Business-Schedule Offer*).

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

No, as indicated in the notice of the call for bids, information can be requested about the competition, writing in Italian and by e-mail, to the Supervisors of the Procedure (see contacts in the notice of call for bids) by November 6, 2018. Supervisors of the Procedure will respond by e-mail to all questions received from bidders by November 13, 2018.

8. Is it possible to visit the properties?

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

- carry out an inspection at the properties of interest;
- or
- submit a statement attesting to knowing the condition of the sites.

9. If properties are in a poor/discrete state of maintenance, can you still make an inspection?

Yes; modalities and timings of inspection are commensurate with the state of preservation of the property.

In any case, those wanting to do an inspection are required to adopt protection procedures and sign an indemnity statement to the Agenzia del Demanio for civil and criminal liability and for any harm that the participant might undergo during the course of the inspection.

10. How do I arrange an inspection?

You can arrange inspection/s by contacting the supervisor indicated for each Territorial Department - where different from the Supervisor/RUP - by e-mail written in Italian and sent to the e-mail address indicated in point 1.11 of the call for bids. In requesting an inspection, the competitor must specify the number(s) of the lot(s) or property/ies they intend visiting and the names of the persons who will be going on the visit (maximum four).

11. What is the timing on arranging inspection/s?

Requests for inspection may be submitted from **September 3, 2018** and until the **October 23, 2018**, as specified in the call for bids notice.

12. What is the deadline to undertake the inspection/s?

Inspections may be carried out from **September 10, 2018** to **October 30, 2018**, as specified in the call for bids notice.

13. What is the Certificate of Visiting the properties?

The Certificate of visiting is a document issued to the competitor by the relevant Territorial Department following the visit to the property/ies. A copy of the certificate, duly signed by the competitor, is retained at the relevant Territorial Department.

To participate in the competition, this document must be submitted by the competitor together with the other documents required.

14. If the inspection is not carried out within the deadline is participation in the bidding excluded?

Yes, to participate in the procedure it is mandatory to certify knowledge of the property.

This certification can be presented in two ways, by inserting in the envelope A alternatively:

- an Inspection Certificate issued following a visit to the property, agreed with the agent of the Agenzia del Demanio;
- a Declaration, to be produced by completing the Attached III form, certifying knowledge of the state of the property.

The mode of knowing the place/property, therefore, is up to the participant and can be understood both as a personal knowledge of the property as well as having examined and accepted the documentation made available.

In the event that it was not possible to carry out an inspection with the Agents of the State Property Office, it is possible to certify to knowing the properties by completing Attached III and inserting it in envelope A.

15. Can I request supplementary technical documentation on the properties currently in the call for bids?

All the call for bids documentation, together with the available technical documentation, can be found on the Agency's website, in the "*Gare e Aste/Immobiliare*" section and can also be viewed at the local territorial office.

In particular, the *Information Memorandum* reports the technical details on each individual property (LOT) and on the local context, the situation concerning any restrictions (limitations, MiBACT authorizations, etc.) and the administrative procedure, as well as the possible new uses and possibilities offered on a territorial scale to support the initiative, it being understood that the restoration of the property and management of the new activity are the responsibility of those awarded the property.

16. Are social activities envisaged as a new function of cultural and social animation of the itineraries and services for local communities?

In view of the territorial and urban planning regulations and current protection, it is possible to foresee a range of new functions matching the principles of the project, which therefore do not exclude setting up social functions.

The project also focuses on developing complementary specialist services for users with specific needs (for example children, the elderly, the disabled, etc.) and personal services.

17. By way of example, what new functions can be set up in the buildings/properties?

With a view to promoting the knowledge and valorization of territories and local specialities, and in consideration of the regulations for territorial and urban planning and protection in force, it will be possible to foresee a range of new functionalities in line with the project principles. These can include hospitality and cultural activities (art and entertainment, education and training, etc.); socio-recreational (leisure time, recreational activities, activities for the disabled, etc.); sports and wellness (diving, sailing, fishing, cycling, trekking, yoga and meditation, etc.); events (meetings, fashion, festivals, concerts, weddings, etc.); research and teaching (study centres, observation of flora, fauna and the stars, etc.); catering, food and wine; discovery of the territory (land and sea excursions, guided tours, involving visitors in activities and projects to protect the natural habitat and the coast, etc.).

SECTION IV: PERMITTED APPLICANTS

1. Who can participate in the call to grant concessions for valorization?

Anyone having the requisites substantiated by presenting the administrative documentation set out in the Call for bids may participate.

By way of example, though not exhaustive, participation is allowed of: individuals, single companies, commercial companies, cooperative societies, associations, foundations, special consortiums of competitors in the bidding noted in Article 2602 of the Civil Code registered or in process thereof, incorporated consortiums also in the form of associated companies according to Article 2615-ter c.c., legally registered consortiums between cooperative societies of production and labour according to the Law of 25 June 1909 no. 422 and the Legislative Decree of the Provisional Head of State of 14 December 1947 n.1577, consortiums between artisan companies pursuant to Law of August 8, 1985 n.443.

It is possible to participate in single or group form.

2. Is the call to grant concessions for valorization open to individuals not residing in Italy?

Yes, there are no restrictions in the call for bids, and therefore individuals not living in Italy, can participate. Note that the application and all attachments must be written in Italian and the administrative documents accompanied by a sworn translation in Italian.

3. Is the call to grant concessions for valorization open to those who are not Italian citizens?

Yes, there are no restrictions in the call, and therefore all those who are not Italian citizens can participate. Note that the application and all attachments must be written in Italian and the administrative documents accompanied by a sworn translation in Italian.

4. Is the call to grant a concession for valorization open to companies/firms who do not have their registered office in Italy?

Yes, there are no restrictions in the call and therefore companies/firms without their registered office in Italy can participate. Note that the application and all attachments must be written in Italian and the administrative documents accompanied by a sworn translation in Italian.

SECTION V: TERMS AND METHODS OF PRESENTING OFFERS

1. How should proposals be submitted?

Proposals must arrive (by post or hand delivery) at the address indicated in the notice of call for bids, by the deadline of **November 27, 2018, at 12.00**, in a sealed package with any method preventing opening without leaving obvious tampering.

The package must contain, under penalty of exclusion, three (A, B and C) separate sealed envelopes:

- an envelope marked "A - *Administrative Documentation*";
- for as many lots selected, an equal number of envelopes marked "B – *Project Proposal – Lot.....*" (indicating the lot to which the bid refers);
- for as many lots selected, an equal number of envelopes marked "C – *Business-Schedule Offer – Lot.....*" (indicating the lot to which the bid relates).

All envelopes must be sealed and indicate, in addition to the above labels, the name/address of the sender.

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

Proposals sent by e-mail will not be considered.

2. Can the tendering documents be written in a foreign language?

No, the presentation in foreign language is not permitted for the application.

Competitors must provide and submit:

- for the documents in ENVELOPE A, a sworn translation in Italian;
- for the all documents, a simple translation into Italian, noting that, also in this case, the commission will only take account of what is represented in the translation itself.

3. What should Envelope A contain?

ENVELOPE A - "ADMINISTRATIVE DOCUMENTATION" must contain the following documents, submitted as described in the notice of the call for bids:

- ✓ the application to participate in the procedure (**Attached II**);
- ✓ the certificate of visiting the properties issued during the inspection (one for each lot chosen) or, alternatively, a statement attesting full knowledge to the state of the premises;
- ✓ a personal declaration certificate, in which the applicant attests (**Attached IV**):
 - not to have grounds for exclusion as referred to in Article 80 Legislative Decree 50/2016;
 - to accept the contents of the tender documents including the Attachment A Privacy Policy to be included in the envelope A and duly signed;

concerning privacy,

- to have fulfilled the obligations envisaged by Regulation 2016/679/EU in the current consolidated version;
 - in particular, to have implemented the security measures pursuant to art. 32 of Regulation 2016/679/EU;
 - to have defined the purposes and methods of treatment;
 - to appoint in writing the person/s authorized to process the data;
 - to have provided suitable training to the above-mentioned subjects;
 - if applicable, to be in possession of the appropriate tools to fully implement, in their own organisation and in reference to the treatments carried out by the Agenzia del Demanio, the measure made by the Data protection Authority for protecting personal data of November 27, 2008 and amendments on the subject of System Administrators;
 - to undertake to provide evidence regarding points IV, V, VI and VII noted above together with the signing of the contract;
 - to process personal data in a lawful and correct manner for specific, explicit and legitimate purposes, in full compliance with Regulation 2016/679/EU.
- ✓ a bank reference issued by a credit institution;
 - ✓ declaration of commitment to use, for the restoration and renovation work, exclusively qualified companies to

carry out the interventions, in line with current Public Works legislation (**Attached V**);

- ✓ provisional deposit of € 2,000 (two thousand).

4. Are there any special formalities for the presentation of the Envelope A in case of participating as a Temporary grouping/association of companies or Consortium?

Yes, in the call for bids, further formalities are envisaged in the modalities for submitting applications by Temporary Groupings/Associations, Special Consortiums and Incorporated Consortiums/Consortiums between cooperative societies; therefore, refer to the details in point 4.3.1 in the call for bids.

5. What is the purpose of the provisional deposit?

The provisional deposit is to guarantee the proper participation in the competition, even in the case that the concession/lease contract is not signed by the winning competitor.

Note that this is a sole deposit irrespective of the number of lots that participants bid for and may be collected in full with respect to each/any single lot.

For State properties, this has been set at Euro 2.000,00.

6. How should the provisional deposit be made?

The provisional deposit may be made at the choice of the competitor by means of bank surety or insurance policy, cashier's check or bank transfer. For further details, refer to point 4.3.1/lett. f) in the call for bids.

7. For the deposits, is a bank surety issued by a foreign bank admitted?

Yes.

8. Is it possible to provide a provisional or definitive deposit with a bank draft/cheque?

Yes, competitors can provide provisional or definitive deposits with bank drafts/cheques, also of foreign credit institutions, provided they can be cashed in at any branch of the same institute in Italy.

9. In the event of awarding, will the provisional deposit be returned?

Yes, in the case of awarding, the provisional deposit will be returned at the time of signing the deed/contract.

10. In the event of non-awarding, will the provisional deposit be returned?

Yes, in case of non-awarding, the provisional deposit will be returned.

11. What should Envelope B contain?

Envelope B "*Project Proposal – Lot.....*" should contain the following documents, submitted in the manner described in the call for bids notice:

- ✓ the *Technical-Illustrative Report*, set out as follows:

Introduction

1. Project intentions
2. Compliance with regulations in force

Evaluation elements

1. Restoration and reuse plan
2. Tourist Opportunity
3. Environmental Sustainability and Energy Efficiency

- ✓ *Illustrative Materials* consisting of:

Written documents

1. Overview
2. New Uses
3. Interventions

4. Vision.

12. What should be in Envelope C?

Envelope C “Business-Schedule Offer - LOT” should contain the following documents, to be submitted as described in the call for bids:

- ✓ Attached VIII - *Business-Schedule Offer*, which must indicate:
 1. Rent/Fee of the concession/lease;
 2. Duration of the concession/lease;
- ✓ a *Financial-Business Plan (Piano Economico-Finanziario/PEF)* to cover the expected investments;
- ✓ *Summary of Costs, Revenues and Investments* according to Attached IX.

13. What is the deadline to submit bids?

To participate the sealed package must arrive by the deadline of **November 27, 2018 at 12:00**.

14. What are the reasons for exclusion envisaged by the call?

Reasons for exclusion envisaged by the call for bids are summarized as:

in general

- Failure to insert ENVELOPES A, B and C into the package and in the event of participating in several lots, failing to include the same number of envelopes B and envelopes C, as the number of lots for participation, as specified in point 4.3 in the call for bids.

with reference to ENVELOPE A

- failure to send, within the deadline, deeds and documents requested by the Agency for clarification/ integration

with reference to ENVELOPE B

- failure to insert in ENVELOPE B - “*Project Proposal – LOT.....*” of the:
 - ✓ *Technical-Illustrative Report (Attached VI)*;
 - ✓ *Illustrative Materials, set out according to the specifications in Attached VI*;
- failure to complete all parts of Attached VI – *Technical-Illustrative Report*;
- failure to sign Attached VI - *Technical-Illustrative Report*;
- failure to submit all required *Illustrative Materials*;
- inconsistency of the *Project Proposal* with the guidelines of the LIGHTHOUSES, TOWERS AND COASTAL BUILDINGS project;
- indicating in the *Project Proposal* elements of the *Business-Schedule Offer* and, therefore, of Rent and Duration offered;

with reference to ENVELOPE C and, in particular the format of Attached VII “Business-Schedule Offer”:

- failure to insert into ENVELOPE C the “*Business-Schedule Offer*” in the format of Attached VII;
- failure to follow the format of Attached VII “*Business-Schedule Offer*”;
- failure to indicate of the evaluation elements of the Rent and Duration;
- proposed annual rent equal to zero;
- proposed duration not between a minimum of 6 years and a maximum of 50 years;

with reference to ENVELOPE C and, in particular to the Financial-Business Plan (FBP/PEF):

- failure to submit the Financial-Business Plan (FBP) duly signed, in case of omitting signing the FBP subsequently rectified within a time limit not exceeding ten days after the request;
- failure to submit the Financial-Business Plan (FBP) endorsed/certified, within a period of 60 (sixty) days, by the best bidder selected for the purposes of proceeding to the awarding phase;

- failure to specify the rent consistent with the relative amount indicated in the format referred to in Attached VII “*Business-Schedule Offer*”;
- failure to develop the FBP for the entire duration of the proposed concession/lease and reported in the format following Attached VII “*Business-Schedule Offer*”;

with reference to ENVELOPE C and, in particular, to the format referred to in Attached IX “*Details of costs, revenues and investments*”:

- failure to present the scheme duly filled in and signed as a supplement within a fixed time limit not exceeding ten days after the request.

If there is only one competitor

the clauses "under penalty of exclusion" in this Notice (and, in relation to any shortcomings, supplements will be requested) will not apply with the exception of the following cases, **in which the competitor will however be excluded:**

- missing Technical-Illustrative Report (Attached VI) referred to in point 4.3.2 lett.a);
- inconsistency in the project proposal with respect to the aims and guidelines of the project;
- failure to indicate, in the context of the Business-Schedule Offer referred to in Attached VII, of the rent and/or duration;
- indication, within the Business-Schedule Offer referred to in Attached VII, of a rent equal to zero;
- indication, within the frame of the Business-Schedule Offer referred to in Attached VII, for a duration not between 6 and 50 years;
- failure to submit the FBP certification;
- negative opinion expressed by the Fairness Commission.

15. To submit the Project Proposal and the Business-Schedule Offer are the related Attached forms available in digital version? To facilitate their comprehension, are they to be filled in electronic format?

Yes, they are published in editable format to facilitate compilation in compliance with the provisions set out in the call for bids.

16. Does the maximum limit of 1500 characters to compile the different fields of the Project Proposal (Attached VI), include or exclude spaces?

The limit in number of characters, respectively for the different fields according to the format of Attached VI, includes spaces.

17. How are aspects of environmental sustainability and energy efficiency considered in relation to the limitations that may exist for buildings of cultural interest?

Each competitor should, concerning the property for which they are participating in the bidding, make a proposal they consider most suitable in compliance with the protection limitations and with the existing regulations on territorial and urban planning. The project should focus on the aspects indicated in the call for bids, including environmental sustainability and energy efficiency.

As indicated in the calls for bids, for all the properties up for tender, the entire work is by law subject to the opinion of the respective administrations regarding safeguarding cultural heritage and the requirements eventually issued so that the proposed valorization work guarantees the utmost protection and safeguarding of valuable properties/buildings.

In the architectural planning, definitive and/or executive phase, following the awarding, the winning proposal must be submitted for approval by the competent authorities in building and protection and the choices related to the interventions must be detailed and supported by appropriate analysis and technical-illustrative drawings (e.g. study of the features, analysis of degradation, details of the techniques and construction materials, of the restoration interventions on the surfaces and structures, of the distribution and installation solutions, environmental impact study, etc.).

The projects submitted to the authorities and administrations responsible for territorial and urban planning and of protection must in any case have characteristics that are fully compliant with what is set out in this project.

However, the possibility of a preliminary discussion by the successful tenderer with the administrations regarding the protection of territorial and urban planning in force cannot be ruled out so that it can be verified whether the project should be considered, in a provisional manner, compatible with the conservation of the property.

18. Does the designer/planner appointed by the competitor need to participate in the competition?

No, the recourse to a designer/planner for drafting the *Project Proposal* is an option of the competitor, who in any case must sign the *Project Proposal*.

19. In the *Project Proposal* must the value of the renovation interventions be indicated?

No, the *Project Proposal*, to be inserted in ENVELOPE B, must not contain any item concerning the Business-Schedule Offer and, therefore, any indication of the rent and duration offered.

20. In the *Project Proposal* must the sources of covering the investment related to the restoration interventions be indicated?

No, the *Project Proposal*, to be inserted in ENVELOPE B, must not contain any item concerning the Business-Schedule Offer and, therefore, any indication of the rent and duration offered.

21. Must the successful tenderer take charge of the restoration and reuse of the property? Are forms of financial support available for the initiative?

Notwithstanding that the restoration of the property and management of the new activity is the responsibility of those awarded the property, note that the *Information Memorandum* - along with the technical details on each individual building/property (LOT) and the context of reference – also indicate possibilities offered on a territorial scale, as an economic-financial support to the single valorization initiatives. It gives information on the various funding opportunities and existing procedures, including those made available by the regions and by public and private bodies (ENMC, Invitalia, Fondazione con il Sud, etc.) that support and promote the project.

It should be noted that the awarding of the building or properties does not guarantee the positive outcome of the loan granting procedure.

22. Is the format of the FBP in Attached VIII mandatory?

The FBP format provided by the Agency reports the quantitative information for the financial-business representation of the *Project Proposal* presented and is given as an example. It is up to the individual applicant to fill in the proposed FBP model or to prepare their own model relevant to the aims of the project.

SECTION VI: ASSESSMENT OF OFFERS

1. How are the offers evaluated?

The concession/lease will be awarded using the criterion of the most financially advantageous bid based on the elements indicated in the table below.

EVALUATION ELEMENTS			REFERENCE	WEIGHTING FACTORS	SCORE
QUALITATIVE ELEMENTS	1)	<i>RENOVATION AND RE-USE PROJECT</i>	<i>Project Proposal</i>	P1 = 30	70
	2)	<i>TOURIST OPPORTUNITIES</i>	<i>Project Proposal</i>	P2= 20	
	3)	<i>ENVIRONMENTAL SUSTAINABILITY AND ENERGY EFFICIENCY</i>	<i>Project Proposal</i>	P3 = 20	
QUANTITATIVE ELEMENTS	4)	<i>RENT</i>	<i>Business-Schedule Offer</i>	P5 = 20	30
	5)	<i>DURATION</i>	<i>Business-Schedule Offer</i>	P6 = 10	

2. How are the restoration and reuse of the property assessed?

Assessing the restoration and reuse of the property is crucial to verify the coherence of the *Project Proposal* with the general principles of the project and the territorial context, especially in relation to setting up future functions and ways in which to restore the property.

3. What does appraising tourism opportunities mean?

Appraising tourism opportunity is a qualitative element to evaluate the project proposals, together with environmental sustainability and energy efficiency.

This will be evaluated in terms of both economic and/or social benefits for the area involved, as well as benefits for the development of Sustainable Tourism, respectful of the coastal environment and the culture of the sea. The score will be attributed with reference to the following aspects: public usability, networking, seasonal adjustment of tourist flows and local development.

4. How is *environmental sustainability* assessed and the energy efficiency?

This qualitative element recommends the competitor to undertake a coherent valorization consistent with the principles of environmental sustainability and energy efficiency, as well as with the specific "*green friendly*" actions that can be implemented in terms of valorization and protection of the environment and improvement of energy performance of the property, to be achieved by reducing consumption and using renewable sources. The score will be assigned taking into account the use of compatible bio-eco materials, bioclimatic techniques and devices, sustainable management of the building site, solutions for soft mobility and improvement of the property's energy performance and use of low-consumption devices.

5. What is meant by *green-building*?

Green-building is a set of construction techniques, usually traditional, aimed at achieving the principles of green architecture and environmental sustainability, namely to ensure the ecosystem-quality requirements of housing, in a broad and holistic sense. Choosing non-harmful and environmentally-friendly natural materials without potential indoor

pollution, as well as technologies that reduce energy consumption, that do not require the use of additional energy (passive devices), that protect the environment and the health of users, all play their part in green-building.

6. What is meant by *sustainable site management*?

The *sustainable management of the building site* means all those measures and arrangements aimed at reducing the environmental impact of the construction site, which may involve noise and atmospheric pollution, as well as the management of waste and building debris. Using dry building technologies, that reduce organic waste, as well as avoiding pollutants released into the atmosphere, may be included in these solutions.

7. If the property has no plant or facilities, can I still produce the Energy Performance Certificate (A.P.E.) *before the work*?

No, in such case you do not have to issue any APE before the work, but only one with the prevision of *performance post operam* (after the work). Assessment will be made by giving, as by convention, G class as the starting class.

8. What is meant by *architecturally integrated renewable sources*?

The integration of renewable energy sources means all technological solutions that enable harmonizing the elements making up the plant (e.g. solar panels) with the surfaces on which they are installed (such as a roof), minimizing visibility or even making them a sign of project recognition (e.g. a micro wind blade that becomes a landmark).

9. How is the proposed rent assessed?

The rent offered is the amount in euros of the annual rental payment that the competitor undertakes to pay, on a fixed basis, for the proposed duration of the concession/lease. This rent cannot be zero. The maximum score to rate this factor will be given to the highest rent offered.

10. Are there any special allowances to pay rent fee during the first months of the undertaking any interventions?

For the first 36 months from the signing of the concession/lease (the period of carrying out the planned interventions, except for extensions), the annual fee will be 10% of the proposed rent; subsequently and for the entire duration of the concession/lease, the annual rent must be paid in full.

11. How is the proposed duration assessed?

Duration is the measure in years of the duration proposed for the concession/lease, from a minimum of 6 (six) to a maximum of 50 (fifty) years. The maximum score for this evaluation element will be attributed to the lowest duration.

12. How are the scores awarded?

Scores will be awarded on the basis of the *aggregative compensating method*.

13. How is the Technical Proposal assessed?

As stated, scores will be awarded on the basis of the *aggregative compensating method*.

In particular, each component of the commission will assign - according to the table in the notice of the call for bids - a coefficient, ranging from zero to one, to each evaluation element.

Subsequently, the averages of the coefficients attributed by the commissioners will be calculated and converted into final coefficients, bringing the highest average to one and by calculating the average of the provisional averages previously calculated.

Next, each final coefficient will be multiplied by the corresponding weight factor by assigning a score to each evaluation element.

Finally, all scores assigned to the evaluation elements will be added up for each competitor.

14. How is the *Business-Schedule Offer* evaluated?

The *Business-Schedule Offer* score is the sum of points related to the formula: Rent - $P(a)C$ - and Duration - $P(a)D$ - offered by each competitor.

15. How are points awarded for the rent offered?¹

The score for the rent offered by the single competitor is awarded according to the formula:

$$P(a)C = PC * V(a)C = 20 * \frac{C(a)}{C(\max)}$$

Where:

P(a)C = Points of the offer a relative to the Rent

PC = Weighting in points attributed to the Rent, or 20

V(a)C = Performance coefficient of the offer with respect to the Rent, varying between 0 and 1

C(a) = Rent offered by the competitor a

C(max) = Maximum rent offered in the competition

16. How are points awarded for the duration?

Similarly to the method to evaluate the rent offered, points for the duration proposed by the single competitor are given according to the formula below:

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

Where:

P(a)D = Score of the duration offer a

PD = Weighting in points attributed to duration, or 10

V(a)D = Performance coefficient of the offer with respect to the duration, variable between 0 and 1

D(a) = Duration offered by the competitor a

D(min) = Minimum duration offered in the competition

17. What happens in case of any discrepancy among documents in the call for bids?

The following order of prevalence is observed:

1. Call for bids;
2. Scheme of Concession Act (Attached IX)/ Scheme of Lease (Attached X);
3. *Information Memorandum*.

18 What happens if there is discrepancy between the Business-Schedule Offer and the *Financial-Business Plan*?

The FBP, under penalty of exclusion, must show the same rent indicated in the Business-Schedule Offer referred to in Attached VII and be developed for the duration of the concession/lease proposed in the same Business-Schedule Offer.

¹ With reference to the joint tender procedure D.R. Veneto / Comune di Valeggio sul Mincio, the total *rent* consists of the sum of the rents proposed for the individual property parts, A and B.

SECTION VII: SELECTING THE CONTRACTING PARTY

1. What happens after the deadline for submitting bids?

After receiving all bids within the deadline, on the day and hour indicated, the specially set up Competition Commission will open all envelopes in a public session, examine and verify the documentation contained in Envelope A, with the exception of the possibility to request clarifications/additions.

In a further session open to the public, the commission shall open Envelope B of all admitted competitors, to verify the inclusion and completeness of the documentation, with the exception of the possibility to request the signing of the illustrative material.

Subsequently, in a confidential session, the commission will examine the projects, it being understood that any eventual competitors requested to include additional details/information will be examined only after reaching a decision on their position. Firstly, under penalty of exclusion, the consistency of the project proposal will be checked with the aims and guidelines of the project "Lighthouses, Towers and Coastal Buildings", outlined and illustrated in the Information Memorandum. The Commission will move on to the scoring, as indicated in paragraph 5 of the Notice and, in particular, point 5.6.1, of the offers that have passed the aforementioned screening.

Once technical points have been awarded, the commission will proceed in a public session to disclose eventual exclusions of offers and to announce the scores awarded; during the same public session, the commission will open Envelope C "*Business-Schedule Offer*", verify the presence and completeness of the documents, and with the exception of eventual additions, read the Business-Schedule Offer as referred to in Attached VII.

The score is then calculated on the business offer as indicated in point 5 of the Notice and, in particular, in point 5.6.2, it being understood that, in case of requesting supplements, the score can be calculated for all competitors only after defining the position of the recipients of those requests. The score will be announced by the Commission in a public session, with the overall scores and selection of the best offer.

2. What happens after identifying the best offer?

The Agency will assign to the highest bidder a peremptory term of 60 (sixty) days, to present the certification of the Financial-Business Plan already produced to participate in the tender.

After submitting the certified Financial-Business Plan by the highest bidder, the offer is subjected to a review of cost effectiveness and viability by the Fairness Commission of the Agenzia del Demanio, established by Law 23.12.2005 n. 266, art. 1, paragraph 479, and at the same time the legal verifications of the operator are initiated by the Supervisor of the Proceedings. In the event of a negative opinion by the Fairness Commission, the competitor will be excluded from the procedure; in the event of a positive opinion on the economic convenience of the offer, the Granting Body/Lessor will formalize the awarding procedure, whose becoming effective, if the legal checks initiated are still in progress, will be subject to their successful outcome.

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

In the event that the offers of two or more competitors obtain the same overall score, but different scores for the Project Proposal and the *Business-Schedule Offer*, the competitor obtaining the best score for the *Project Proposal* will be ranked first.

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

In the event that the offers of two or more competitors obtain the same overall score and the same partial scores for the *Project Proposal* and the *Business-Schedule Offer*, with parity in absolute terms, then lots will be drawn in an open session.

5. Who must present the certified Financial-Business Plan?

To proceed to the awarding phase, the best bidder must, under penalty of exclusion, submit to the Agenzia, which will formulate a specific request granting the applicant a final term of 60 (sixty) days, the certification of the Financial-Business Plan produced to participate in the competition. Certification must be issued by a credit institution or by companies registered in the general list of financial intermediaries, pursuant to article 106 of the legislative decree September 1, 1993, n. 385, or by an auditing company.

6. What happens if there is only one competitor?

If there is only one competitor, no score will be awarded; however, the *Project Proposal* will in any case be evaluated as a whole and will not be awarded where considered invalid overall from the design point of view.

If there is only one competitor the clauses "under penalty of exclusion" in this Notice (and, in relation to the deficiencies found, supplements will be requested) will not apply with the exception of the following cases, in which the competitor will however be excluded:

- missing Technical-Illustrative Report (Attached VI);
- inconsistency found in the project proposal with respect to the aims and guidelines of the project;
- failure to indicate, in the context of the *Business-Schedule Offer* referred to in Attached VII, of the rent and/or duration;
- inserting, within the *Business-Schedule Offer* referred to in Attached VII, a rent equal to zero;
- inserting, within the frame of the *Business-Schedule Offer* referred to in Attached VII, a duration not between 6 and 50 years;
- failure to submit the FBP certification;
- negative opinion expressed by the Fairness Commission.

7. How are public session dates communicated?

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

The competitor will be able to attend the public sessions in person or through a delegate.

8. Starting from the deadline for submission of bids, what kind of timing is there to select the concessionaire/lease holder?

At the close of the call for bids, the work of the Commission will begin. Its duration will depend on the number and complexity of the proposals, but may be estimated at around two to three months.

For the final awarding of properties, the commission will carry out checks according to law, which are expected to take about a further two months.

9. For the purposes of stipulating the deed/contract, are there particular conditions for the awarded party who is not resident or does not have their registered office in Italy?

Yes, the winning bidder, if resident or with a registered office in a country other than Italy, must send to the competent Regional Directorate of the State Property Office the Italian tax code assigned upon request by the Tax Authorities to complete relevant tax deeds in Italy.

SECTION VIII: CONCESSION GRANTOR/LEASEHOLDER RELATIONSHIP

1. What are the key elements of the concession/leasing relationship?

Restoration interventions on the property - The contractor undertakes to carry out the above-mentioned interventions within 36 months of signing the concession/lease, subject to the possibility of extensions thereof, and to provide the Agenzia del Demanio documentation certifying to the completion of the work and the necessary certifications, including, by way of example, the certification of compliance with safety standards and the technical data sheet of the materials used and the work carried out. The concessionaire/lessee must also provide technical and administrative documentation regarding updating the land registry;

Final Deposit - To guarantee all the duties arising from the concession, including the proper execution of the interventions and payment of the rent, the contractor must submit:

on occasion of and for the purposes of stipulating the deed:

a) a first definitive deposit for the period of 36 months from the signing of the concession, set at 10% of the sum of the amount of investment envisaged to undertake the interventions - as reported in the Summary of Costs, Revenue and Investment in Attached IX - and the rent due for the guaranteed period (36 months); the deposit in question will be redeemed on the date of issuing of the second final deposit;

on expiry of the 36-month period from signing of the concession:

b) the second final deposit, which may, alternatively:

- ♦ have a validity equal to the remaining term of the concession and an amount equal to 10% of the rent due for the remaining term of the concession. The guarantee in question will be progressively redeemed over the years as a result of the progressive reduction of the total value of the rent due;
- ♦ have a duration of no less than five (5) years and an amount equal to 10% of the rent payable for the guaranteed period; this guarantee must be extended or renewed for a period of no less than five (5) years until the end of the concession/lease. Renovations or extensions must be made, at least 90 (ninety) days before expiration, or risk forfeiture, also with other credit or insurance institutions.

Insurance policy/ies - For state properties, the Contractor/Lessee, before commencing the work, must subscribe, at their own expense and risking forfeiture, adequate insurance policy/ies with reputable insurance companies, to be communicated to the Agency and to cover all risks noted in the following:

- before and during the intervention work, civil liability to third parties (RCT) to cover personal injury and property damage, civil liability to workers (RCO) and total or partial destruction/damage - including fire, lightning, explosion, gas explosion, and other accessory risks - of the building/property in concession, with a maximum coverage no lower than the value of the building in its unrestored/unrenovated state;
- once the intervention work is completed, before commencing the activities outlined in the *Project Proposal* and for the entire duration of the concession, civil liability to third parties (RCT) to cover personal injury and property damage, civil liability to workers (RCO) and total or partial destruction/damage - including fire, lightning, explosion, gas explosion, and other accessory risks - of the building/property in concession, with a maximum coverage no lower than the value of the building in its unrestored/unrenovated state. This maximum coverage will be increased by the contractor/lessee every 5 years, by a percentage equal to the sum of ISTAT price indices for each of the years elapsed.

Plaque - To promote and facilitate establishing the LIGHTHOUSES, TOWERS AND COASTAL BUILDINGS network and ensure its systematic development, among the obligations of the concessionaire/lessee is the making and affixing of the name plaque "Valore Paese – FARI, TORRI ED EDIFICI COSTIERI" (Valore Paese – LIGHTHOUSES, TOWERS ED COASTAL BUILDINGS), in line with the requirements set out by the Agenzia del Demanio and in accordance with the current provisions of law.

2. In terms of deposits, is the bank guarantee issued by a foreign bank admitted?

Yes.

3. How should the final deposit be made?

The final deposit can be made by a bank guarantee or insurance policy issued by banks and insurance companies having the requisites provided for by article 93, para. 3 of the Legislative Decree n. 50/2016, and must expressly provide for:

- the waiver of the benefit of the pre-emptive excussion of the principal debtor pursuant to art.1944 c.c.;
- the waiver to exception pursuant to art. 1957, paragraph 2, c.c.
- payable within 15 days, upon simple written request of the Agency.

4. Is the subcontracting of activities permitted in the frame of concessions/leases for valorization?

Pursuant to Article 3-bis co. 5 letter b) Legislative Decree n. 351/2001, the possibility of subcontracting business or service activities is permitted.

5. Can the contractor/lessee submit a purchase proposal after the concession/lease has expired?

Yes, pursuant to Article 3-bis para. 4-bis Legislative Decree n. 351/2001, at the end of the period envisaged by the concessions and leases referred to in this article, the Agenzia del Demanio, having determined that the restoration and conversion of the properties has been carried out, allows the contractor/lessee, as long as there are no other needs to use the property for institutional purposes, the pre-emptive right to purchase the property at the market price.

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

They are the ordinary taxes envisaged in real estate matters (IMU-TASI-TARI), whose rates are regulated, at local level, with Regulations of the Municipal Administrations.

With particular reference to the IMU, it is specified that, pursuant to art. 9 co. 1 Legislative Decree n. 23/2011: "*In the case of concession of state-owned areas, the taxable party is the concessionaire*".

With reference to the TASI, instead, the art. 1 co. 669 and ss. L. n. 147/2013 provides that: "*The application of TASI requires the possession or holding, for any reason, of buildings and building areas, with the exception of agricultural land and the main house, as defined under of the municipal tax referred to in article 13, paragraph 2, of the decree-law 6 December 2011, n. 201, ... excluding those classified in the land registry categories A/1, A/8 and A/9*". The successive paragraph 681 establishes the distribution in the payment of this tax if the property is occupied by a person other than the owner with right to the property.

These general provisions must, in any case, be coordinated with any regulatory provisions that provide for benefits and relief, also of a tax nature, in favour of certain categories of subjects for the use of public buildings for certain purposes.

7. What is the value to be considered for compulsory insurance policies that must be stipulated?

With reference to insurance policies, before and during the intervention work, the value of the property to be considered is that of the asset *not* renovated or redeveloped for use; once work is completed, before the start the activity and for the entire 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 Agenzia del Demanio, as required by standard techniques and taking into account the type, consistency, state of conservation, location of the property and market conditions.

8. Are eventual costs for urbanization or construction of infrastructure related to the reclamation of the property at the expense of the awarded party?

Yes, the reclamation interventions, ordinary and extraordinary maintenance and the related works indicated in the Project Proposal presented during the tender are to be borne by the Concessionaire/User (see Article 7 Attached X and XI - Scheme Act of Concession and Lease Agreement).

9. In the event of being awarded a property, is the concessionaire/lessee obliged to start the activity as proposed in the submitted tender?

Yes, the successful bidder is obliged to implement the *Project Proposal*. As indicated in the deed/contract schedules contained in the tender documentation, the Agency may carry out inspections at the property, and periodic checks aimed at verifying the work and progress of the interventions based on the timing indicated in the *Project Proposal* and carrying out the activities in compliance with the regulations in force and in compliance with the *Project Proposal* presented during the tender.

In the event the concessionaire/lessee fails to meet all the obligations envisaged and contained in the aforementioned schemes, the Agenzia del Demanio has the right to declare the immediate forfeiture/ termination of the concession/lease and the successful bidder will be required to pay a penalty and compensation for eventual greater damage.

10. In the case of awarding several properties, does failing to sign the deeds/contracts entail the excussion of the provisional deposit for each property?

Yes, the competitor remains bound to their offer for 240 days, starting from the deadline for submitting applications. To guarantee the seriousness of the offer, the provisional deposit is placed which is fully detained by the granting body, in

the event of failure to sign the deed/contract by the successful tenderer. In particular, the provisional deposit is a single deposit regardless of the number of lots for which the applicant is participating and can be detained in full with reference to each individual lot.

11. What happens at the end of the concession/lease? How many times can you renew it? Is compensation due to the concessionaire/user?

As envisaged in the concession/lease agreement enclosures attached to the Call for Bids (Attachments X and XI), upon expiry of the concession/lease, the property returns to the legal disposal of the Agency freely and with every transformation, improvement, addition and accession to it, whether they are included or not in the intervention work.

12. Is the investment envisaged for the reclamation of the property tax-deductible?

In principle, extraordinary maintenance costs incurred on third-party properties - therefore also in the case of state buildings - are tax deductible within the limits of the portion attributable to each year, based on the statutory provisions (see art. 108 co. 3 DPR 917/86).

The accounting principle OIC 24 ("*Intangible assets*") provides that "*the amortization of the costs for improvements to third party properties is made in the lesser period between that of future utility of the expenses incurred and the residual right of utilization of the property (e.g. lease, concession, loan, etc.) taking into account the possible renovation period, if dependent on the user*".

Specifically, each intervention will be assessed in a timely manner by the awarded party according to due procedures.

13. In the event of winning the competition, if following the signing of the deed/contract difficulties should arise in terms of authorizations, is it possible for the winning party to request the Agency for extensions and/or reimbursements, or to withdraw in advance from the deed/contract?

As indicated in Attachments X and XI (Scheme of the Concession Agreement and Lease Agreement), the Concessionaire/User must carry out the interventions within the maximum term of 36 (thirty-six) months from signing the acceptance document, without prejudicing the possibility of extension, however, not exceeding 24 (twenty-four) months.

The concessionaire/user has no right to reimbursement or indemnity whatsoever by the Agency; they have the right to terminate in advance, for serious reasons, not before 36 months have elapsed since the signing of the concession or lease.