

Subject: Negotiated procedure without prior publication of a contract notice for the award of the unarmed surveillance service of the Italian Embassy compound in Ankara and of the Italian Ambassador's Residence compound in Istanbul – Palazzo di Venezia – for the year 2026/2027, including the additional surveillance service for the Italian Republic Day celebrations to be held at the Ankara compound.

GROUND FOR EXCLUSION

A: Grounds for exclusion related to criminal convictions:

Economic operators shall be excluded from participation in the procedure if they have been convicted by a final criminal judgment in Italy or in the country where the procedure is conducted for one or more of the following reasons:

1. participation in a criminal organisation;
2. corruption;
3. fraud;
4. terrorist offences or offences linked to terrorist activities;
5. money laundering or terrorist financing;
6. child labour and other forms of human trafficking;
7. any other offence entailing disqualification from contracting with the public administration.

The relevant exclusion situations are those provided for under Italian law, as well as:

- in Member States of the European Union, the situations indicated in the national legislation transposing Article 57 of Directive 2014/24/EU;
- in non-EU countries, equivalent situations under local criminal law.

Economic operators shall also be excluded from participation in the procedure where a member of their administrative, management, or supervisory bodies, or any person having powers of representation, decision-making, or control within the economic operator, has been convicted by a final criminal judgment in Italy or in the country where the procedure is conducted for one or more of the aforementioned reasons.

B: Grounds for exclusion related to the payment of taxes or social security contributions

Economic operators shall be excluded from participation in the procedure if they have failed to fulfil all obligations relating to the payment of taxes, duties, or social security contributions in the country in which they are established, in Italy, and in the country where the procedure is conducted.

C: Grounds for exclusion related to insolvency, conflicts of interest, or professional misconduct

The following shall be excluded from participation in the procedure:

1. the economic operator that has, to the best of its knowledge, violated obligations in the fields of health and safety at work, environmental law, social law, or labour law;
2. the economic operator that is in one of the following situations or is subject to proceedings for the determination of one of the following situations:
 - bankruptcy, insolvency proceedings, liquidation, arrangement with creditors, compulsory administration, or any analogous situation;
 - has ceased its activities;
3. the economic operator guilty of grave professional misconduct;
4. the economic operator that has entered into agreements with other economic operators aimed at distorting competition;
5. the economic operator that is aware of any conflict of interest related to its participation in the procedure;
6. the economic operator, or an undertaking connected to it, that has provided advice to the potential Contracting Authority or has otherwise participated in the preparation of the procedure;
7. the economic operator that has previously experienced early termination of a prior public contract or has already been ordered to pay damages or other sanctions in relation to a prior public contract;
8. the economic operator that:
 - has been seriously guilty of providing false declarations in supplying the information required to verify the absence of grounds for exclusion or compliance with selection criteria;
 - has concealed such information;
 - has been unable to promptly submit the supplementary documents requested by the Contracting Authority;
 - has attempted unduly to influence the decision-making process of the Contracting Authority, attempted to obtain confidential information that may confer undue advantages in the procurement procedure, or provided misleading information that may have a substantial influence on decisions concerning the procurement procedure.

D: Grounds for exclusion provided for by Italian legislation and equivalent situations under the legal system of the country where the procedure is conducted

The economic operator shall be excluded from participation in the procedure if it is in one of the following situations:

1. there exist against it causes of forfeiture, suspension, or prohibition provided for by anti-mafia legislation;

2. it is subject to infiltration by organised crime;
3. it has been subject to interdiction from carrying out its activity or to another sanction entailing prohibition from contracting with the public administration;
4. it is registered in the computerised register held by the National Anti-Corruption Authority for having submitted false declarations or false documentation for the purpose of obtaining qualification certification, for the period during which the registration remains in force;
5. it has violated the prohibition on fiduciary registration;
6. it fails to comply with regulations on the right to work of persons with disabilities;
7. if it has been the victim of the offences of extortion or usury committed by organised crime or by persons intending to facilitate organised crime activities, and no case of necessity or legitimate defence applies, it has not reported the facts to the judicial authorities;
8. it has concluded subordinate or self-employment contracts or, in any event, assigned tasks to former employees of the Contracting Authority who terminated their employment relationship less than three years ago and who, in the last three years of service, exercised authoritative or negotiating powers on behalf of the Contracting Authority vis-à-vis the same economic operator (pantouflage or revolving door).