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EMBLEM Technology Transfer GmbH
BOXBERGRING 107
69126 HEIDELBERG (GERMANIA)
VAT NUMBER 201764688

PNRR – Missione 4: Istruzione e ricerca
Componente 2: Dalla ricerca all'impresa
Investimento 1.3 Partenariati allargati estesi a università, centri di ricerca, imprese e finanziamento progetti di ricerca di base finanziato dall'Unione Europea – NextGenerationEU
Progetto: HEAL ITALIA – Health Extended ALliance for Innovative Therapies, Advanced Lab-research, and Integrated Approaches of Precision Medicine"
CUP: B73C22001250006
COD. UGOV: DUPO_PNRR_BANDI.ENTRATA24_01

**SUBJECT: Affidamento di servizio scientifico – topo di laboratorio e relativi servizi, attraverso il Portale Appalti UniPd, previa acquisizione di uno o più preventivi ai sensi dell'art 50, comma 1, lett. b) del D. Lgs. 36/2023, nell'ambito del finanziamento PNRR-Missione 4: Istruzione e ricercar; Research Service Framework Agreement and Individual Project Description 2025-0027**

**CUP: C95F22000150007 - B73C22001250006**

**PROCEDURA N. PG016245**

# FORM D - APPLICATION AND STATEMENTS

## APPLICATION SECTION

I, the undersigned __**Dr. Jürgen Bauer** born in _____ on _____ document No. _____, tax code _____ in my capacity as *(corporate office - if attorney in fact, attach a copy of the power of attorney and/or Chamber of Commerce certificate)* __**legal representative** of the company *(specify name and legal form)* __**EMBL Enterprise Management Technology Transfer GmbH** with registered office in **Heidelberg, Germany** province (___) _____postcode **69126** address **Boxbergring 107,** tax code **32492/41840** and/or VAT No. ___**DE201764688**_____ and registration in *Professional Registers/Registers of Legal Persons/Company Registers/other Registers of* __**Handelsregister Amtsgericht Mannheim**, _____, No. _____**336336** _____

**AS A**

☐ sole proprietor, including artisans (Article 65(2)(a) of Legislative Decree No. 36/2023);
☒ company (indicate type: __**GmbH**_____);
☐ Other _____;

**HEREBY DECLARE**

pursuant to Presidential Decree No. 445 of 28 December 2000, that the facts, status and qualities reported in the following paragraphs are true.

## SUPPLEMENTARY STATEMENT

**I hereby declare and attest, under my own responsibility, that:**

1) I meet the participation and qualification requirements for this award;
2) I am not subject to any grounds for exclusion under Articles 94 and 95 of the Code;

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3) The identification data of the persons referred to in Article 94(3)[1] of the Code are as follows:

| Name | Surname | Position | Date and place of birth | Tax code | Municipality of residence |
|---|---|---|---|---|---|
| Jürgen | Bauer | Deputy Managing Director of EMBL Enterprise Management Technology Transfer GmbH | | | |
| | | | | | |
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| | | | | | |

☒ ***(option 1)*** that I am not subject to any grounds for exclusion under Articles 94 and 95 of Legislative Decree No. 36/2023, as amended and supplemented and, to the best of my knowledge, that the persons listed above are not subject to the grounds for exclusion under Article 94(1) and (2) of Legislative Decree No. 36/2023, as amended and supplemented;

*or*

☐ ***(option 2)*** that I am subject to the following grounds for exclusion: _____

_____

_____

_____

and that, to the best of my knowledge, the following grounds for exclusion exist with respect to the persons referred to in Article 94(3) of Italian Legislative Decree No. 36/2023 as amended and supplemented, *(specify name, office and conviction)*:

_____

_____

_____

[1] the persons referred to in Article 94(3) of Legislative Decree No. 36/2023 to be reported in the table are:

- economic operator, pursuant to and under the terms of Legislative Decree No. 231 of 8 June 2001;
- owner or technical manager, if it is a sole proprietorship;
- managing director or technical manager, if it is a partnership;
- managing partners or technical manager, if it is a limited partnership;
- members of the Board of Directors who have been granted powers of legal representation, including proxies and public prosecutors;
- members of bodies with management or supervisory powers or persons with powers of representation, management or control;
- technical manager or sole shareholder;
- de facto director in the cases referred to in the preceding paragraphs.

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_____
_____
_____
..... *(the bidder is required to report all convictions, including those not mentioned in their criminal record. It should be noted that, pursuant to Article 94(7) of Legislative Decree No. 36/2023, exclusion shall not apply and award shall not be prohibited where the offence has been decriminalised or the offender has been rehabilitated, where a sentence to a perpetual ancillary penalty has been declared extinguished pursuant to Article 179(7) of the Criminal Code, or where the offence has been extinguished after sentencing or the sentence has been revoked).*

The economic operator is in the condition provided for by the art. 53 paragraph 16-ter of Legislative Decree No. 165/2001 (pantouflage or revolving door) as it has signed subordinate or self-employed employment contracts and, in any case, has assigned tasks to former employees of the contracting authority who have ceased their employment relationship less than three years ago and who in the last three years of service have exercised authoritative or negotiating powers on behalf of the same contracting authority towards the same economic operator? [ ] Yes [x ] No

1. The following certified email address for communications relating to the procedure, including those pursuant to Article 90(1) of Legislative Decree No. 36/2023, as amended and supplemented. In the case of a Temporary grouping of companies, all communications from the Entity will be made to the above-mentioned certified email address, which will be valid as a notification for all members of the grouping;
2. I declare that the financial bid submitted is profitable, since it was obtained by considering and taking into account the following aspects:
   a) the contractual terms and conditions and any charges including those relating to safety, insurance, working conditions and social security and assistance in force in the geographical area where the works and supplies/services are to be carried out;
   b) all general, particular and local circumstances, without exception, which may have affected or may affect both the performance of the supply and the determination of the offer;
3. I hereby declare:
   - that I have examined all the above tender documents and consider them to be appropriate and that I accept them all, i.e. that I accept their content in full, without any conditions or reservations whatsoever, and that I consider them to be more than adequate for preparing the offer;
   - that I am aware of the obligations arising from the Code of Conduct adopted by the contracting authority by Decree Ref. No. 3269/2014, File No. 199824, available at http://www.unipd.it/codici-condotta-disciplina, and I undertake, if awarded the contract, to observe and have my employees and collaborators observe, insofar as applicable, the aforementioned Code, under penalty of termination of the contract.
4. I hereby certify that I am informed, pursuant to and for the purposes of EC Regulation, European Parliament No. 679 of 27/04/2016, published in the O.G. on 04/05/2016, that the personal data collected will be processed, also by computer, exclusively within the scope of this tender;
5. *(For economic operators admitted to the arrangement with creditors as a going concern pursuant to Article*

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*186 bis of Royal Decree No. 267 of 6 March 1942*)
I hereby provide the following details of the measure of admission to the arrangement procedure and the measure authorising participation in tenders _____ issued by the Court of _____ and I declare that I am not participating in the tender as an agent of a temporary grouping of companies and that the other companies of the grouping are not subject to bankruptcy proceedings pursuant to Article 186 bis(6) of Royal Decree No. 267 of 16 March 1942;

6. With reference to the White List, the economic operator: *EMBL Enterprise Management Technology Transfer GmbH (name)* declares that it is not *(delete the alternative that does not apply)* registered in the White List of the Prefecture of _Padua *(in the case of economic operators consisting of a grouping of several companies, repeat the statement as many times as necessary)*

7. With regard to subcontracting, pursuant to Article 119 of Legislative Decree No. 36/2023, the economic operator declares that:

☐it intends to subcontract part of the contract to a third party;

*or*

☒ it does not intend to subcontract part of the contract to third parties.

8. Concerning the right of access to documents, the economic operator declares that:

☐ should a participant in the tender exercise the right of "access to documents", it will authorise the contracting authority to release copies of all documents submitted for participation in the tender;

*or*

☐ should a participant in the tender exercise the right of "access to documents", it will not authorise the contracting authority to release a copy of the technical offer and of the explanations that may be requested during the verification of unusual offers, as they are covered by technical/commercial secrecy, as specified below (this statement must be duly justified and substantiated pursuant to Article 35 of Legislative Decree 36/2023): _____
_____
_____
_____;

9. In the case of subcontracts, the economic operator declares that:

☐ it has recourse to the following subcontracts, which do not constitute subcontracts within the meaning of Article 119(3) of Legislative Decree No. 36/2023, and undertakes, for the sole instance referred to in Article 119(3)(c-bis), of Legislative Decree No. 36/2023, to file any relevant contracts before or at the same time as signing the contract with the Contracting Authority:

| Subcontractor's name | Amount of subcontract | Type of subcontracted work/service/supply |
|---|---|---|
| | | |
| | | |
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*14. For the awarding of service contracts other than those of an intellectual nature, supply without installation and for concession contracts, the economic operator declares that:*

*☐ it ensures the employment stability of the personnel employed;*

*☐ it ensures the application of the national and local sectoral collective bargaining agreement indicated by the Contracting Authority;*

*☐ it ensures the application of the following national and local sectoral collective bargaining agreement other than the one indicated by the Entity: _____ and it ensures the same economic and regulatory protections for subcontracted workers as for the contractor's employees; with regard to illegal employment, the economic operator undertakes to ensure safeguards equivalent to those provided by the indicated collective bargaining agreement, pursuant to Article 11 of Legislative Decree No. 36/2023;*

*☐ it ensures equal generational, gender and labour inclusion opportunities for people with disabilities or disadvantages.*

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## NRRP/NCP STATEMENTS

**I hereby declare and attest, under my own responsibility, that:**

- ☐ (*option 1*) I represent a public or private company employing more than fifty people and which is therefore required to draw up a report at least every two years about its personnel as per Article 46 of Legislative Decree No. 198/2006;

  *or*

  ☐ (***option 2***) I represent a public or private company employing between fifteen and fifty people and which is therefore required to draw up, forward to the company trade union representatives and to the regional/provincial councillor for equality, within six months of signing the contract, a gender report on the situation of male and female staff in each of the professions concerned and in relation to the state of recruitment, training, professional promotion, levels, changes in category or qualification, other labour mobility events, the use of the Redundancy Fund, dismissals, early retirements and retirements, and the remuneration actually paid; the company undertakes to deliver this report to the contracting authority within six months after the conclusion of the contract;

  *in this case,*

  ☐ I have not been automatically disqualified for failure to comply with the obligation to deliver to the contracting authority the gender report referred to in Article 47(3) of Decree-Law No. 77/2021 within six months of signing the contract;

  ☐ ***(option 1)*** I undertake, if awarded the contract, to ensure the employment of both young people and women in an amount equal to or greater than 30% <u>of the personnel recruitments required for the performance of the contract or for the execution of related or ancillary activities</u>;

  *or*

  ☐ ***(option 2)*** I am not bound by said recruitment obligations for one of the following reasons:

  ☐ performance of the contract requires the recruitment of fewer than three workers or no recruitment;

☐ low employment of young people and women in the relevant market in relation to ISTAT data of the relevant sector (specify): _____;

☐ fulfilment of social clause requiring rehiring of former contractor's workers;

☐ low employment of women in relation to female employment rate based on ISTAT data of the relevant sector (specify): _____

*(In this case, the operator is bound by the recruitment obligations related to the employment of young people);*

☐ characteristics of the duties to be performed for which there is a need for experience or special professional qualifications (specify): _____

_____ ;

- That the work/supply/service was carried out in accordance with the principle of "Do no significant harm" (DNSH) for environmental objectives, as set out in Article 17 of Regulation (EU) 2020/852;
- That I am in compliance with the regulations governing the right to work of disabled persons pursuant to Law No. 68 of 12 March 1999 and pursuant to Article 94(5)(i) of Italian Legislative Decree No. 36/2023, as amended and supplemented, and Article 47(3 bis) and (4) of Decree-Law No. 77/2021;

  ☐ yes;

  ☐ no (give reasons) _____;

  ☐ I am not required to comply with Law No. 68/99 (provide reasons, specify number of employees or other)_____;

  The operator required to employ disabled persons undertakes, pursuant to Italian Decree-Law No. 77/2021, art. 47 paragraph 3-bis, also to deliver to the Contracting Authority, within six months of signing the contract:

  1. a report on the fulfilment of obligations under the same law and any sanctions and measures ordered against the operator in the three years preceding the deadline for the submission of tenders;
  2. proof of having sent the report to the company trade union representatives.

Moreover, I hereby declare, in the case that the ***economic operator is NOT established in Italy,*** with reference to the obligations on equal opportunities, generational and gender equality, and inclusion of persons with disabilities, in relation to public investment procedures, arising in whole or in part from the provisions of Regulation (EU) 2021/240 of the European Parliament and of the Council of 10 February 2021 and Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021:

- that I have complied with the legislation in force in my country of origin:

  ☐ as substantiated by appropriate and equivalent documentation attached herein;

  ☒ that the documents proving compliance with the above requirements are not issued by my country of origin;

  ☐ that the documents proving compliance with the above requirements do not mention all the facts required by Italian law in my country of origin and this is evident from the attached documents.

Padua, *date of signing*

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|---|---|
| **EMBLEM Technology Transfer GmbH**<br>**BOXBERGRING 107**<br>**69126 HEIDELBERG (GERMANIA)**<br>**VAT NUMBER 201764688** | **PNRR – Missione 4: Istruzione e ricerca**<br>**Componente 2: Dalla ricerca all'impresa**<br>**Investimento 1.3 Partenariati allargati estesi a università, centri di ricerca, imprese e finanziamento progetti di ricerca di base finanziato dall'Unione Europea – NextGenerationEU**<br>**Progetto: HEAL ITALIA – Health Extended ALliance for Innovative Therapies, Advanced Lab-research, and Integrated Approaches of Precision Medicine"**<br>**CUP: B73C22001250006**<br>**COD. UGOV: DUPO_PNRR_BANDI.ENTRATA24_01** |

25. Juli 2025

DocuSigned by:

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*Digital signature*

*of owner/legal representative/attorney in fact* (1)

Dr. Jürgen Bauer

Deputy Managing Director

EMBL Enterprise Management Technology Transfer GmbH

**The application is signed digitally**:

- in the case of an established temporary grouping or ordinary consortium, by the principal/lead company;
- in the case of a temporary grouping or ordinary consortium not yet established, by all the entities that will form the grouping or consortium;
- in the case of groupings of enterprises adhering to the network contract, the rules laid down for temporary groupings of companies apply, insofar as they are compatible. In particular:
  - **a.** **if the network has a common body with power of representation and legal personality**, pursuant to Article 3, paragraph *4-quater* of Italian Decree-Law No. 5 of 10 February 2009, the application to participate must be signed digitally only by the economic operator acting as common body;
  - **b.** **if the network has a common body with power of representation but does not have legal personality**, pursuant to Article 3, paragraph *4-quater*, of Italian Decree-Law No. 5 of 10 February 2009, the application to participate must be signed digitally by the economic operator acting as common body, as well as by each member of the network contract participating in the tender;
  - **c.** **if the network has a common body without power of representation, or if the network does not have a common body, or if the common body does not meet the qualification requirements to act as agent**, the application to participate must be signed digitally by the network member company acting as agent or, in the case of participation in the form of a grouping to be established, by each member of the network contract participating in the tender.
- in the event of a consortium of cooperatives and craft companies or a stable consortium as referred to in Article 65(2)(b), (c) and (d) of the Code, the application must be signed digitally by the consortium itself.
-

**(1)** If the documentation is signed by the company's attorney, a copy of the relevant power of attorney or other document evidencing powers of representation must be attached.