

Register no. 6471/2022

Sent by e-mail

F.A.O

Global Reporting Initiative

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**Subject: Direct award pursuant to art. 1, paragraph 2, letter a) of Legislative Decree no. 76/2020 as converted by law 120/2020, aimed at stipulating a contract for Materiality Disclosures Service for Corporate - Core – Regular Service Timeline.**

**SMART CIG: ZCE3526109.**

**Request for Proposal**

By means of a determination to contract, Consip S.p.A. single-member joint stock company (hereinafter also Consip) has resolved to entrust the service of Materiality Disclosures Service for Corporate - Core – Regular Service Timeline.

Consip S.p.A. is performing this procurement action by the assignment to Stichting Global Reporting Initiative because Stichting Global Reporting Initiative, producer and sole distributor of the services object of the acquisition, allows to satisfy Consip specific requirements.

In accordance with art. 31, paragraph 10, of Italian Legislative Decree no. 50/2016, Mr Francesco Licci is appointed as the person responsible for the procedure.

The person in charge identified pursuant to art. 1 of the law decree n. 76/2020, converted with amendments by law no. 120/2020, for the purposes of the provisions of the law itself, is the Sourcing Operation Division Manager, who in compliance with the powers currently assigned to him, validates and approves the various procedural steps.

**Consip S.p.A., single-member joint stock company**

Registered Office: Via Isonzo 19/E – 00198 Rome

T +39 06 85449.1 – F +39 06 85449 281 – [www.consip.it](http://www.consip.it)

Fully paid-in share capital of €5,200,000.00 Tax Code and VAT no. 05359681003

Listed on the Companies' Register at the Chamber of Commerce, Industry, Trades and Agriculture of Rome under no. 05359681003

- REA (Economic and Administrative Index) no. 878407

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In light of the considerations above, Stichting Global Reporting Initiative is therefore required to send to Consip S.p.A., by 18<sup>th</sup> February 2022, its Bid Declaration, complete with all the documentation indicated hereinafter to the e-mail address: francesca.perinelli@consip.it.

The e-mail containing the proposal must include the following:

- a) a **declaration**, i.e. a document/declaration to be issued in accordance with Italian Presidential Decree no. 445/2000, containing the certification of possession of the requirements established by art. 80 of Italian Legislative Decree no. 50/2016 and the absence of the grounds for prohibition laid down in paragraph 16-ter of art. 53 of Italian Legislative Decree no. 165/2001.

With reference to the cases referred to in art. 80, paragraph 4, of the Code, as amended by D.L. 76/2020, converted with amendments by law 120/2020, all provisions including those that are not definitive must be declared.

The aforementioned declaration must be submitted in electronic format, complete with the signature of the legal representative of the competing company, or, in any event, a party vested with proven signatory powers.

- b) a **declaration** providing the identification details of the bank account (s) attached (s) to this contract, as well as the general (name and surname) and the Tax Code of the persons delegated to operate on said account (s) in compliance with the provisions of Article 3, paragraph 7 of Law No.136 / 2010 (**Supplier Data sheet and declaration on the traceability of financial flows**).

## DATA PROCESSING

Pursuant to art. 13 of Legislative Decree no. 196/2003 "Code regarding the protection of personal data" (hereinafter also the "Privacy Code") and pursuant to art. 13 of the EU Regulation n. 2016/679 on the protection of individuals with regard to the processing of personal data, as well as the free circulation of such data (hereinafter also "EU Regulation" or "GDPR"), Consip S.p.A. provides the following information on the processing of personal data.

### **Purpose of the treatment**

In relation to the activities carried out by Consip, it should be noted that:

- the data provided by the competitors are collected and processed by Consip S.p.A. to verify the existence of the requisites required by law for the purposes of participation in the tender and, in particular, for the purpose of verifying the administrative and technical-economic capacities of these parties, as well as for the purpose of awarding, in fulfillment of specific legal obligations deriving from the legislation on public procurement and contracts;



- the data provided by the winning bidder are acquired by Consip for the purposes of drafting and signing the Contract, for the fulfillment of the legal obligations connected to it, as well as for the management and economic and administrative execution of the contract itself.

All the data acquired by Consip S.p.A. may also be processed for study and statistical purposes in compliance with and the rules laid down in the EU Regulation.

#### **Nature of the conferment**

The Competitor is obliged to provide the data to Consip S.p.A., due to the legal obligations deriving from the legislation on public procurement and contracts. The refusal to provide the data requested by Consip S.p.A. could determine, depending on the case, the impossibility to admit the competitor to the participation in the competition or its exclusion from this or the expiry of the award, as well as the impossibility to stipulate the contract.

#### **Sensitive and judicial data**

As a rule, the data provided by the competitors and by the contractor are not classified as "sensitive" according to article 4, paragraph 1, letter d) of the Privacy Code, nor in the "particular categories of personal data" of which art. 9 EU regulation. The processing of "judicial" data referred to in Article 4, paragraph 1, letter e) of the Privacy Code and "personal data relating to criminal convictions and offenses" pursuant to art. 10 EU Regulation, on the other hand, is limited to the sole purpose of evaluating the possession of the requisites and qualities required by the current applicable regulations for the purposes of participation in the tender and award.

#### **Methods of data processing**

Data processing will be carried out by Consip S.p.A. in order to guarantee the necessary security and confidentiality and can be implemented using manual, paper, IT and telematic means suitable to process the data in compliance with the security measures set out in the Privacy Code and from the EU Regulation.

#### **Scope of communication and dissemination of data**

The data may be:

- treated by the personnel of Consip S.p.A. that takes care of the bidding process, from the staff of other offices of the same company that carry out activities related to it, as well as from the offices of the same company that deal with activities for study and statistical purposes;
- communicated to independent collaborators, professionals, consultants, who provide advice or assistance to Consip S.p.A. with regard to the bidding process, also for possible legal protection, or for sector studies or statistical purposes;
- communicated to any external parties, who are part of the awarding and testing commissions that will be established from time to time;
- communicated, subject to the conditions, to the Ministry of the Economy and Finance or to another Public Administration for which Consip S.p.A. carries out activities in accordance with



the by-laws, to the Agency for Digital Italy, with regard to the data provided by the winning bidder;

- communicated to other competitors who request access to the tender documents within the limits allowed under the law of 7 August 1990, n. 241;
- communicated to the National Anti-corruption Authority, in compliance with the provisions of the AVCP Determination n. 1 of 10/01/2008.

The name of the competitor awarded the tender and the contract award price may be disseminated via the websites **www.consip.it**, **www.acquistinretepa.it** and **www.mef.gov.it**. In addition, the information and data concerning the participation of the Competitor in the tender, within the limits and in application of the principles and provisions on public data and the re-use of public sector information (Legislative Decree 36/2006 and art. 52 and 68, paragraph 3, of Legislative Decree 82/2005 and subsequent amendments), may be used by the MEF and by Consip, each for its own responsibility, also in aggregate form, to be made available to other public administrations, natural and legal persons, including open data. In addition to the above, in compliance with the legal obligations that impose administrative transparency (Article 1, paragraph 16, letter b, and paragraph 32 of Law 190/2012, article 35 of Legislative Decree No. 33/2012; as well as Article 29 of Legislative Decree No. 50/2016), the competitor / contracting party acknowledges and agrees that the data and documentation required by law to publish, be published and disseminated, using the conditions, via the website **www.consip.it**, section "Transparent Company". In fulfillment of legal obligations, the data could be transferred to an international organization.

#### **Data retention period**

The data retention period is 10 years from the definitive awarding to the contracting authority. Furthermore, the data may be kept, even in aggregate form, for study or statistical purposes in compliance with articles 89 of the EU Regulation and 110 bis of the Privacy Code.

#### **Automated decision-making process**

There is no automated decision making process.

#### **Rights of the interested party**

"Interested" means any natural person whose data are transferred from the competitor to the contracting authority.

The interested party is granted the rights referred to in Article 7 of the Privacy Code and referred to in articles. from 15 to 22 of the EU Regulation. In particular, the interested party has: i) the right to obtain, at any time, confirmation that personal data concerning him is being processed; ii) the right of access to personal data to know: the purpose of the processing, the category of data processed, the recipients or categories of recipients to whom the data are or will be communicated, the retention period of the same or the criteria used to determine this period; iii) the right to request, and in the case to obtain, the correction and, where possible, the cancellation or, again, the limitation of the treatment and, finally, can



oppose, for legitimate reasons, to their treatment; iv) the right to data portability that will be applicable within the limits of art. 20 of the EU regulation.

If in the event of exercise of the right of access and related rights provided for by art. 7 of the Privacy Code or by the articles from 15 to 22 of the EU Regulation, the response to the request does not arrive within the indicated time and / or is not satisfactory, the interested party can assert his rights before the judicial authority or by contacting the Guarantor for the protection of personal data through specific complaint, appeal or report.

#### **Data controller and Data Protection Officer**

The data controller is Consip S.p.A., with registered office in Rome, Via Isonzo n. 19 / D-E.

For the exercise of the rights referred to in art. 7 of the Privacy Code and referred to in Articles from 15 to 23 of the EU Regulation and to request an updated list of data processors, companies can be contacted at the following addresses:

- Consip S.p.A.: [esercizio.diritti.privacy@consip.it](mailto:esercizio.diritti.privacy@consip.it)

#### **Consent to the processing of personal data**

Once the above information has been acquired, with the submission of the offer and / or the signing of the Contract, the legal representative pro tempore of the Competitor / bidder acknowledges and consents expressly to the treatment as defined above of the personal data concerning him.

The competitor undertakes to comply with the obligations of disclosure and consent, where necessary, to natural persons (Interested parties) for whom personal data are provided in the custody procedure, with regard to the processing of their personal data by of Consip SpA for the purposes described above

Yours sincerely,

Sourcing Operation Division

Division Manager

(Eng. Mario Laurenti)

Digital signature

#### **Annexes:**

Annex – Supplier Data sheet and declaration on the traceability of financial flows