

GS24076_A097_Single-phase design tender for the construction of the Great
Malpensa Hospital

Tender Identification Code (CIG): **B5263D8BE6**

Project Single Code (CUP): **B45F22000710003**

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1 - GENERAL INFORMATION

1.1 - Contracting Authority

Name: Azienda Regionale per l'innovazione e gli Acquisti S.p.A.

Registered office: Piazza Gae Aulenti 1 - 20154 Milan

E-mail: n.a. - certified email: protocollo@pec.ariaspa.it

Single Project Manager: Mr. Rosario Luca Cirrelli

E-mail: rosario.cirrelli@ariaspa.it

1.2 - Subject of the tender

Azienda Regionale per l'innovazione e gli Acquisti S.p.A. (hereinafter also ARIA S.p.A.), hereby announces a restricted international design tender for the construction of the Great Malpensa Hospital, concerning the acquisition of a project whose level of detail shall be equal to that of a technically and economically feasible project to be carried out in accordance with Arts. 46 - 72 - 108 - 112 - 156 - 112 of Legislative Decree 36/2023 (hereinafter the "Code"). The tender will consist of a single phase with a pre-selection of five Bidders admitted to submit projects.

The design guidelines, including a detailed description of the contents and objectives to be pursued, are to be found in the "Project Design Guiding Document" (DIP - *Documento di Indirizzo alla Progettazione*) which is an integral part of this Call for applications and is attached hereto.

The maximum cost of the project to be carried out (economic framework, including the amount of the works, project design costs, project management, testing, safety costs, costs of the Tender and sums available to the Contracting Authority) is set at EUR **440,000,000.00**. The expected fees and expenses related to technical design services for the technical and economic feasibility of the project are EUR **9,992,323.41** as shown in the calculation schedule attached to the DIP.

The technical documentation (DIP) takes into account the technical specifications and contractual clauses contained in the Minimum Environmental Criteria (CAM) laid down by Ministerial Decree No. 256 of 23 June 2022, "Minimum Environmental Criteria for the award of construction design services, construction works and for the combined award of construction design and works".

N.B.: Below is the link where the CAMs adopted by the Ministry of the Environment and Energy Security are available for consultation: <https://gpp.mite.gov.it/Home/Cam#CamInVigore>.

- a) The following table shows the estimated cost of project execution, broken down into the different categories of works planned, identified according to the "Work IDs" laid down in Ministerial Decree 17 June 2016 on the professional fees for Architectural and Engineering Services.

| Category | Work ID. | Functional purpose (excerpt) | Degree of complexity | Assumed amount | Incidence |
|--------------|----------|---|----------------------|-----------------|-----------|
| Construction | E.10 | Outpatient Clinics, Hospitals, Research Institutes, Rehabilitation Centres, School Centres, Universities, Academies, University Research Institutes | 1.20 | € 93,600,000.00 | 0.32% |
| Facilities | S.03 | Reinforced concrete facilities or parts thereof - Corresponding structural | 0.95 | € 76,260,000.00 | 0.26% |

| | | | | | |
|---|-------|---|------|-------------------------|-------------|
| | | verifications - Scaffolding, supporting beam reinforcements and provisional facilities lasting more than two years | | | |
| Plants | IA.01 | Plants for water supply, preparation and distribution within buildings or for industrial purposes - Plumbing systems - Domestic or industrial sewerage and waste water treatment works - Liquid or gaseous fuel distribution networks - Installations for the distribution of compressed air, vacuum and medical gases - Fire-fighting installations and networks | 0.75 | € 12,920,000.00 | 0.04% |
| | IA.02 | Heating plants - Cooling, air conditioning, air treatment plants - Mechanical fluid distribution systems - Solar thermal systems | 0.85 | € 48,580,000.00 | 0.17% |
| | IA.04 | Electrical installations in general, lighting, telephone, safety, fire detection, photovoltaic, complex building and construction installations - structured cabling - fibre optic installations - individual laboratory equipment and pilot plants | 1.30 | € 49,180,000.00 | 0.17% |
| Landscape, Environment, Naturalisation, Agribusiness, Livestock farming, Rurality, Forestry | P02 | Small or large scale green work the relevance of which takes priority over construction works I think you mean is secondary to that of the construction works??? | 0.85 | € 11,365,000.00 | 0.03% |
| Grand total | | | | € 291,905,000.00 | 100% |

It should be noted that the aforementioned amount, intended for project execution, is to be understood as a maximum threshold which should not be exceeded and which the designer should take into account when drawing up the technical and economic feasibility project covered by this tender.

The aforesaid breakdown into "Work IDs" is not binding for the purposes of developing project proposals and is merely a reference for the identification of the special technical-organisational requirements and the calculation of fees for the professional services requested, as under Art. 41 (15) of the Code.

- b)** The basic amount of this tender, as well as the amount for the subsequent executive design phase, was originally calculated in accordance with the Decree of the Minister of Justice of 17 June 2016, published in Official Gazette of the Italian Republic no. 174 of 27 July 2016, as per Annex I.13 of the Code, including a 10% increase for the adoption of the Building Information Modeling (BIM) method.

A 20% reduction was then applied to this amount, as calculated above and net of charges and VAT, as shown below:

| | E.10 | S.03 | IA.01 | IA.02 | IA.04 | P02 | TOTAL |
|--|-----------------------|-----------------------|---------------------|-----------------------|-----------------------|---------------------|------------------------|
| FEE FOR PFTE <i>[Progetto di Fattibilità Tecnica ed Economica, Technical and Economic Feasibility Project]</i> | € 3,691,086.18 | € 2,341,913.58 | € 390,455.02 | € 1,347,151.59 | € 1,842,276.80 | € 379,440.23 | € 9,992,323.41 |
| FEE FOR EXECUTIVE PROJECT | € 1,903,765.10 | € 1,259,549.18 | € 207,789.77 | € 767,895.54 | € 1,050,619.74 | € 160,110.90 | € 5,349,730.22 |
| FEE | € 5,594,851.28 | € 3,601,462.76 | € 598,244.79 | € 2,115,047.14 | € 2,892,896.54 | € 539,551.13 | € 15,342,053.63 |

Interference safety charges amount to EUR 0.00.

Labour costs are estimated at EUR 50,000.00 for the PFTE and EUR 40,000.00 for the EP [Executive Project].

Under Art. 11 (2) of the Code, the collective agreement applicable to the staff engaged in contract performance is the one applying to Professional Firms in Milan.

1.3 - Type of procedure

The Tender is to be held pursuant to Arts. 46 - 72 - 112 - 156 of the Code and consists of a single phase with a pre-selection of five Bidders admitted to submit projects. The Design Tender is launched:

- under articles 66 and 108 of the Code as part of a public service contract award procedure;
- on a restricted basis pursuant to Arts. 72 and 156 of the Code and in accordance with Art. 112 of the same Code, as it concerns the design of a particularly difficult and complex work. Five candidates will be eligible to submit projects;
- under Art. 46 of the Code, in one single phase;
- pursuant to Chapter II of Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014, with the anonymous submission of projects by the selected candidates.

The tender will therefore take place in a single phase consisting in the technical evaluation of the project proposals submitted, after pre-qualifying the candidates to be invited to submit project proposals.

This is because, in light of the specificity and particular complexity of the work to be designed that is the subject of the tender and in order to best pursue the public interest, it is necessary to initially select recognised and highly professional candidates who also have specific and consolidated expertise and experience in the field of large healthcare construction projects. Only these will then be asked to submit project proposals for the construction of the Great Malpensa Hospital.

The Call is published:

- on the National Database of Public Contracts (*Banca Dati Nazionale dei Contratti Pubblici* - BDNCP) via a certified digital procurement platform, pursuant to Articles 27, 84 and 85 of Legislative Decree 36/2023;
- on the Tender platform: <https://www.concorsiarchibo.eu/grande-ospedale-malpensa>

- summary information on the Tender is also given on the Client's profile at [www.ariaspa.it - "Our Calls" section - "Calls and other procedures not on Sintel"].

The Tender documents were approved by decision no. 1357 of 16 December 2024 signed by the General Director.

Legal references of the Tender:

- Legislative Decree 31 March 2023, No. 36, "Public Contracts Code";
- Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 - Chapter II;
- Legislative Decree No. 81 of 9 April 2008, "Consolidated Act on occupational safety";
- Ministerial Decree 17 June 2016, "Approval of the tables of fees commensurate with the quality level of design services, adopted pursuant to Article 24(8) of Legislative Decree No. 50 of 2016", published in OJ No. 174 of 27/07/2016;
- MIT Decree No. 263 of 2 December 2016;
- Ministerial Decree 11 October 2017, published in OJ General Series No. 259 of 6 November 2017, "Minimum environmental criteria for the award of design services and works for the construction, renovation and maintenance of public buildings";
- Presidential Decree No. 328 of 5 June 2001;
- Ministerial Decree 5 August 2011 as updated.

The Tender is held by using the certified web platform called "*concorsiarchibo.eu*", owned by the Association of Architects, Planners, Landscapers and Conservationists of Bologna, for the computer management of Design Tenders, which uses procedures and security protocols ensuring the absolute anonymity of project proposals, in compliance with Legislative Decree No. 36/2023 and industry regulations.

Indeed, albeit Sintel, the Regional Certified E-Procurement Platform of the Lombardy Region used for public tenders by all Sireg entities, including Aria S.p.A., complies with the Code and ensures bid confidentiality, it does not yet ensure interoperability with the central systems of ANAC with regard to the management of design tenders.

In particular, the Tender procedure and the relationship between the Contracting Authority and the Bidder will take place exclusively online at <https://www.concorsiarchibo.eu/grande-ospedale-malpensa> in both of the following two phases:

- **Pre-selection** phase, during which candidates apply for the tender (open phase): candidates openly apply, providing all the information required so that the participation conditions can be checked. The identity of bidders is known to the Contracting Authority, which evaluates their applications to select the five participants admitted to the following phase.
- **Competition phase** (anonymous): the admitted candidates enter the competition phase, which is anonymous. All projects submitted in the second phase are marked only with the chosen code (see section 4.1 - Tender registration), ensuring their anonymity throughout the evaluation process.

Bidders have access to the aforesaid website by registering thereon (see paragraph 4 - Use of the IT platform) and can download the material necessary for participation, submit questions and upload the documents and papers of their project proposal.

1.4 - Tender timeline

The main deadlines of the tender procedure are as follows:

| | |
|--|------------|
| Requests for information during the pre-selection phase - Start date | 20/01/2025 |
|--|------------|

| | |
|---|--------------------------------------|
| Requests for information during the pre-selection phase - End date | 07/02/2025 |
| Requests for information during the pre-selection phase - Publication of requests/answers | 10/02/2025 |
| Submittal of papers and documents during the pre-selection phase - Start date | 11/02/2025 |
| Submittal of papers and administrative documents during the pre-selection phase - End date (by 12:00 noon) | 20/03/2025 |
| Evaluation Committee - End of pre-selection phase, with publication of the alphanumeric codes of the projects admitted to the Competition phase | 30/04/2025 |
| Requests for information during the competition phase - Start date | 02/05/2025 |
| Requests for information during the competition phase - End date | 16/05/2025 |
| Requests for information during the competition phase - Publication of requests/answers | 19/05/2025 |
| Submittal of papers and administrative documents during the competition phase - Start date | 20/05/2025 |
| Submittal of papers and administrative documents during the competition phase - End date (by 12:00 noon) | 04/07/2025 |
| Judging Committee - End of competition phase | 26/09/2025 |
| Provisional ranking announcement | 30/09/2025 |
| Verification of general requirements and professional suitability, publication of the definitive ranking with the announcement of the successful bidder, together with the minutes of the Judging Committee | 10/10/2025 |
| PFTE completion by the successful bidder | Date to be published on the platform |
| Publication of projects | Date to be published on the platform |

In case of special requirements, at the sole discretion of the Contracting Authority, the above timeline may be modified. Any changes to the timeline will be promptly communicated by publishing a special notice on the Tender home page.

2 - PARTICIPATING IN THE TENDER

2.1 - Persons admitted to the tender: participation requirements

All persons referred to in Art. 66 (1) of the Code who meet the requirements of Ministerial Decree 263/2016 and are not subject to the grounds for exclusion set out in Arts. 94, 95 and 97 of the same Code, may take part in the Tender. Bidders may participate individually or through temporary associations or similar entities-groups, whether established or being established. Bidders shall indicate the members of the interdisciplinary

Design Group having the skills set out in point 3.18. below; in any case, single Bidders, if any, shall have all the minimum skills required.

More specifically, the Tender is open to anyone who is not subject to the grounds for exclusion indicated in Articles 94, 95 and 97 of the Code, and specifically architects and engineers enrolled in their respective professional associations or in the professional registers of the countries they belong to, qualified to practise in accordance with European Union regulations on the date of publication of this Call, and to engineering companies and professional technical offices duly entered in the register kept by the Chamber of Commerce, Industry, Crafts and Agriculture.

Changes to the members of the groups of bidders are permitted between the pre-qualification and the competition phase pursuant to Art. 68 (19) of Legislative Decree 36/2023.

Participants in the tender, either individually or in groups, may use consultants and collaborators, even if they are not registered with professional associations or registers.

Bidders not established in Italy but in another Member State or in one of the countries referred to in Art. 100 (3) of the Code, are required to submit a sworn statement or to act in accordance with the procedure laid down in the Country where they are established, entering the relevant documentary evidence in the FVOE - *Fascicolo Virtuale dell'Operatore Economico* [Virtual Dossier of Economic Operators] system, set up at the Banca Nazionale dei Contratti Pubblici [National Bank of Public Contracts] (cf. Art. 24 of the Code).

2.2 - General requirements

To be admitted to the procedure, bidders must meet the following eligibility requirements:

- a) the general requirements set out in Articles 94, 95, 96, 97 and 98 of the Code;
- b) the professional suitability requirements set out in Art. 100 (1) a) of the Code;
- c) the requirements set out in Art. 98 of Legislative Decree 81/2008 for the purpose of safety coordination during the design phase;
- d) the requirements set out in Ministerial Decree 5 August 2011 with regard to fire prevention.

The requirements set out in points c) and d) above may be fulfilled by indicating the presence, within the interdisciplinary design team, of consultants meeting such requirements.

Under Art. 66 and Annex II.12, Part V of the Code, where a group of economic operators participates in the tender, each operator must meet the requirements laid down by the Code, or else the entire group will be excluded.

In addition, professional companies, engineering companies and stable consortia of professional and engineering companies must meet the requirements of Art. 66 of the Code and of Arts. 2 and 3 of Ministerial Decree 263 of 2 December 2016.

The application to take part in the design tender amounts to a declaration of fulfilment of these general requirements.

For the purposes of proving fulfilment of these professional qualification requirements, bidders not established in Italy must submit a statement certifying that they are qualified to practise in accordance with the regulations of European Union countries, as set out in point A) of the application form.

2.3 - Temporary groupings, ordinary consortia, stable consortia, EEIGs

Without prejudice to the possibility of participating in the Tender as an individual or associated professional or as one of the entities referred to in Art. 66 (1) of the Code, bidders may participate in the Tender with temporary groupings or ordinary consortia, even if not yet established. The provisions of Arts. 67 and 68 of the Code will apply to groupings that have already been set up.

In the case of a Grouping, a group leader must be appointed who shall be solely responsible and act as a contact person towards the Contracting Authority for the entire duration of the procedure, including during the period of the assignment, if any, of the further executive phase.

Groupings represent a single entity for the purposes of the Tender and all their members will be acknowledged as the authors of their relevant project proposal, with equal interests and rights¹.

Temporary groupings, as established by Art. 39 (1) of Annex II.12 of the Code, "must include at least one young graduate who has been licensed to practise as a designer for less than five years according to the regulations of the EU Member State s/he resides in. In the case of tenders that do not require a university degree, the professional must hold a surveyor's diploma or another technical diploma pertaining to the type of services to be provided, and must have been licensed to practise for less than five years in accordance with the regulations of the EU Member State s/he resides in, in compliance with the relevant professional association. The requirements relating to the young professional do not count towards the participation requirements demanded by clients".

Bidders participating as an association must meet the participation requirements described below.

Ordinary consortia and EEIGs are subject to the regulations on temporary groupings, insofar as they are compatible. The consortium member of ordinary consortia that takes on the largest share of activities acts as its leader and must be assimilated to an agent.

If bidders participate as a stable consortium, as referred to in Art. 66 (1) (g) of the Code, they must indicate for which Consortium members the Consortium is competing; Consortium members are prohibited from participating in the tender in any other form. In the event of infringement of this provision, both the Consortium and its members are EXCLUDED from the tender.

Pursuant to Art. 12 (3) of Law No. 81 of 2017, Stable consortia can also be joined by individual professionals regardless of their legal form. In the case of a Stable consortium, the Consortium members designated by the Consortium for the performance of the services may not, in turn, assign performance to other parties.

If the designated Consortium member is, in turn, a Stable consortium, the latter must indicate the executing Consortium member in the tender.

All general requirements (absence of grounds for exclusion under Arts. 94 and 95 of the Code) must be met:

- In the case of a Temporary grouping/EEIG, by each member of the Temporary grouping/EEIG.
- In the case of an Ordinary consortium, by the Consortium and each of the other Consortium members indicated by the Consortium for the purposes of participation.
- In the case of a Stable consortium, by the Consortium and each of the Consortium members indicated by the Consortium for the purposes of participation.

The requirements of Annex II.12, Part V must be met:

- In the case of a Temporary grouping/Ordinary consortium/EEIG, by each associated economic operator, depending on its type.
- In the case of a Stable consortium, by each Consortium member indicated by the Consortium for the purposes of participation.

The requirement to be registered in the commercial registry kept by the Chamber of Commerce, Industry, Crafts and Agriculture must be met by:

¹ A "single entity", with regard to a temporary grouping, does not imply that such temporary grouping will be considered, for the purposes of the Tender, as a new and autonomous legal entity with respect to its members. Hence, the unity of the Grouping is relevant, for the purposes of this Tender, solely for the authorship of the concept and design proposals to be submitted.

- In the case of a Temporary grouping/EEIG, by each member of the Temporary grouping/EEIG.
- In the case of an Ordinary consortium, by the Consortium and each of the other Consortium members indicated by the Consortium for the purposes of participation.
- In the case of a Stable consortium, by the Consortium and each of the Consortium members indicated by the Consortium for the purposes of participation.

To prove fulfilment of these requirements, the contracting authority acquires *ex officio* documents held by public administrations, once the economic operator has provided the information needed to obtain the requested information or data.

2.4 - Special requirements

2.4.1 - Economic and financial requirements

At the time of submitting their application form, Bidders must meet the economic and financial requirements set out below, or else they shall be excluded.

Economic and financial requirements under Art. 100 (1) (b) of the Code: overall turnover for engineering and architectural services equal to 1.5 times the amount of the service to be awarded and accrued in the three years preceding the call, therefore equal to at least EUR **20,711,772.40**, VAT excluded.

For the Temporary groupings referred to in Art. 68 of the Code, the economic-financial requirement must be met by the grouping as a whole.

The technical and professional requirements must be met by bidders at the time of submitting their application. Evidence of such fulfilment is required from the successful bidder at the end of the tender.

2.4.2 - Technical and organisational requirements of the interdisciplinary design team

In order to deal with the complexity of the work required, the Bidder (whether acting individually or as Temporary grouping) must have a design team that includes the professional figures referred to in paragraph 5.1 - Required papers, number 4 below.

2.4.3 - Technical and professional requirements

- In view of the complexity and relevance of the project to be carried out, Bidders must have performed, in the ten-year period preceding that of the call, engineering and architectural services relating to and concerning works falling within each of the categories and IDs indicated in the following table and whose overall amount, for each category and ID, must be at least 1.5 times the estimated amount of the works in the respective category and ID, as indicated in the following table.
- In view of the complexity and relevance of the project to be carried out, Bidders must have performed, in the ten-year period preceding that of the call, two flagship engineering and architectural services with the following characteristics: the economic operator must have performed, for each of the categories and IDs of the following table, two services for works that were similar, in size and technical characteristics, to those to be awarded, for a total amount being equal, for each category and ID, to at least 0.6 times the value thereof.

| TABLE OF TECHNICAL AND PROFESSIONAL REQUIREMENTS | | | |
|--|--------|---|--|
| Amount of works | | Coeff. 1 | Coeff. 2 |
| Category (ID) | Amount | Minimum total amount for the list of services | Minimum total amount for flagship services |
| | | | |

| | | | |
|-------|--------------------|------------------|-----------------|
| E.10 | € 93,600,000.00 | € 140,400,000.00 | € 56,160,000.00 |
| S.03 | € 76,260,000.00 | € 114,390,000.00 | € 45,756,000.00 |
| IA.01 | € 12,920,000.00 | € 19,380,000.00 | € 7,752,000.00 |
| IA.02 | € 48,580,000.00 | € 72,870,000.00 | € 29,148,000.00 |
| IA.04 | € 49,180,000.00 | € 73,770,000.00 | € 29,508,000.00 |
| P02 | € 11,365,000.00 | € 17,047,500.00 | € 6,819,000.00 |

The technical and professional requirements, in case of a Temporary grouping under Art. 68 of the Code, must be fulfilled by the grouping as a whole, both by the group leader as agent and by the members of the grouping (principals).

The technical and professional requirements must be met by bidders at the time of submitting their application. Evidence of such fulfilment is required from the successful bidder at the end of the tender.

2.5 - Incompatibility and grounds for exclusion

The grounds for exclusion are set out in Arts. 94 and 95 of the Code.

Bidders may not take part in the Tender with more than one Temporary grouping or ordinary consortium of Competitors, or may not take part individually where they participate in the same Tender with a Temporary grouping or ordinary consortium of Bidders.

Participation in any capacity (as a group leader, member of a Grouping, consultant, collaborator) in more than one Temporary grouping/ordinary consortium/EEIG shall result in the exclusion from the Tender of both the individual bidder and the group(s) of which s/he is a member. The same prohibition applies to freelancers participating in the Tender in any way and thus also as members of a professional or engineering company in which they serve as directors, partners, employees, consultants or project collaborators.

The Tender is not open to those who might be facilitated by reason of their performance of preliminary services for the Tender and/or their involvement in the drafting of the Tender Regulations and/or the implementation of the Tender and/or who might otherwise influence the decisions of the Judging Committee. This applies in particular to the following:

- a) the RUP [*Responsabile Unico del Procedimento* - Single Project Manager], the latter's assistants, the members of the technical coordination secretariat, the members of the Judging Committee;
- b) the spouses, relatives and first, second and third-degree relatives-in-law of the persons referred to in point (a);
- c) the usual business and project partners of the persons referred to in point (a);
- d) the direct superiors and collaborators of the persons referred to in point (a);

- e) the employees of the Contracting Authority.

Participants and Committee members may not contact each other with regard to the scope of the Tender for the entire duration of the Tender, or else they shall be excluded.

2.6 - Acceptance of the Regulations

Acceptance of the Regulations: participation in this tender implies unconditional acceptance of all the regulations set out in this call and in the Tender documents. Reference is made to the Code and to the applicable regulations for any issues not specifically dealt with in this document.

Anyone taking part in the tender expressly exempts the contracting authority and its employees and collaborators from any liability for any malfunction or defect in the connectivity services necessary to reach, via the public telecommunications network, the online system for the acquisition of project proposals and related documentation.

In view of the reasonable timeline for the registration procedure and for the adoption of suitable and sufficient technological measures, the tendering organiser declines all responsibility for any bidders' failure to access the online system and/or activate the online procedure within the established timeline due to technical difficulties faced by bidders and/or the system that are beyond the control of the tendering organiser, including, but not only, difficulties in connecting to the system due to the bidders' use of unsuitable or inappropriately used computer systems, temporary congestion of the internet network and/or the line connecting to the tender online system, etc.

Technical support can only be given if registrations are still open. Any support requests received after the system is closed, i.e. after the end of the registration period, cannot be fulfilled.

Participants are urged to activate the paper submission procedure as early as possible, within the available timeframe. There was a part in the document that said this bid was exclusively online.

The online system will prevent bidders from submitting further documents after the deadlines of the relevant tender phases (see timeline).

Submission of documents: participants must submit the necessary documents via the online platform by the deadlines specified in the tender timeline.

Tender instructions: detailed instructions for participation in the tender are provided in this Call and other tender documents. These documents contain the necessary instructions on how to use the online platform and how to submit bids.

2.7 - Outsourcing

a) Outsourcing:

Under Art. 104 of the Code, the bidder may use technical equipment as well as human and instrumental resources made available by one or more auxiliary economic operators in order to prove fulfilment of the applicable special requirements.

In the outsourcing contract, the parties must specify the instrumental and human resources made available by the auxiliary to the bidder and indicate whether the purpose of outsourcing is to meet a participation requirement.

Pursuant to Article 372 (4) of the Enterprise Crisis and Insolvency Code, it is always necessary to rely on the requirements of another person to participate in this procedure between the time of the filing of the application provided for in Article 40 of the aforementioned code and the time of the filing of the decree provided for in Article 47 of the same code. Outsourcing is not required in case of admission to an arrangement with creditors.

The bidder and the auxiliary are jointly and severally liable vis-à-vis the contracting authority for the services covered by the contract.

Outsourcing is not permitted to fulfil general and chamber of commerce registration requirements.

Under Art. 104 (3), where the outsourcing contract is entered into with an auxiliary undertaking holding an authorisation or another qualification required for participation in the tender pursuant to Article 100 (3), or with a person having the necessary educational or professional qualifications to perform the services covered by the contract, the works or services shall be performed directly by the auxiliary undertaking. The rules on subcontracting shall apply.

The auxiliary must:

- meet the general requirements and declare them by submitting its ESPD, to be completed in all the relevant parts;
- meet the special requirements that are outsourced and declare them in its ESPD, to be completed in all the relevant parts;
- undertake, vis-à-vis the outsourcing bidder and the contracting authority, to provide the outsourced resources (relating to participation and/or award requirements) for the entire duration of the contract.

The bidder shall attach the outsourcing contract, to be digitally signed by the parties, to its application form, along with the auxiliary's statements.

Failure to produce the outsourcing contract may be remedied by means of a procedure known as *soccorso istruttorio* [a procedure whereby a bidder is permitted to rectify shortcomings in its tendering documentation], provided that the contract was concluded before the deadline for submitting the bid and that this circumstance can be proved with a firm date.

Failure to indicate the resources made available by the auxiliary may not be remedied as it is a ground for voidness of the outsourcing contract.

Where there are grounds for exclusion of the auxiliary or where the latter does not meet the special requirements, the bidder shall replace the auxiliary within 7 days from receipt of the corresponding request by the contracting authority. At the same time, the bidder shall produce the documents required for outsourcing purposes.

If the auxiliary issues a false statement with regard to fulfilment of the applicable requirements, the contracting authority shall report the same to the National Anti-Corruption Authority for the controls referred to in Article 96 (15) of the Code. The economic operator may indicate another auxiliary within ten days; or else, it shall be excluded from the tender. The auxiliary may be replaced only if such replacement does not substantially change the bid. Failure to meet the deadline for such replacement will result in the exclusion of the bidder.

b) Subcontracting:

The bidder shall indicate the services it intends to subcontract or assign on a piece work basis. If no indication is given, subcontracting is prohibited.

Under Art. 119 of the Code, the entire performance of the services covered by the contract may not be subcontracted.

The successful bidder and the subcontractor are jointly and severally liable vis-à-vis the contracting authority for the performance of the services covered by the subcontract.

The design services that are the subject of this tender may be subcontracted, though may not be the subject of further subcontracting. This is because of the particular complexity, specificity and relevance of the work to be designed and the very rationale of the design tender which, by its very nature, is aimed at selecting project proposals that are unique and specific to their author.

2.8 - Soccorso istruttorio

Any shortcomings regarding formal elements of the application, and in particular, the absence, incompleteness and any other essential irregularity thereof, excluding those relating to the project proposal, may be remedied by means of the procedure known as *Soccorso istruttorio* regulated by Art. 101 of the Code, within the limits set by the same article, to which reference is made. Any Economic Operator that fails to comply with the Contracting Authority's requests within the established term of ten days shall be excluded from the tender.

2.9 - Payment of the ANAC fee

11.1. Bidders are required to pay EUR 77.00 to ANAC² - the National Anti-Corruption Authority - as a fee for their participation in this Tender, by the deadline for submittal of their application form to participate in the competition phase, or else they shall be excluded from the Tender pursuant to Resolution No. 610 of 19 December 2023. Payment can be made by following the operating instructions provided by the same Authority on its website at <https://www.anticorruzione.it/> [services for undertakings / ANAC payment portal].

3 - TENDER DOCUMENTS

The Contracting Authority shall provide the following documents:

- The Call (also in Italian)
- The Project Design Guiding Document and its annexes (also in Italian)
- The Contract Outline for the Technical-Economic Feasibility Design (also in Italian)
- The Contract Outline for the Executive Design (also in Italian)
- The Exchange Information Requirements
- The Project Control Document - BIM
- The calculation of fees and professional services
- Technical drawings (in PDF and DWG)
- the following forms:
 - *Econ. Oper. application form to participate in the pre-qualification phase*
 - *Econ. Oper. application form to participate in the competition phase*
 - *European Single Procurement Document (ESPD)*
- *"Integrity Pact on public contracts of the Lombardy Region and the entities of the regional system" approved by Regional Government resolution No. XI/1751 of 17 June 2019 (published in BURL Ordinary Series No. 26 of 26 June 2019)"*

All tender documents are available at <https://www.concorsiarchibo.eu/grande-ospedale-malpensa/bando-e-documenti>

² The online payment service operates at predetermined times and does not guarantee the issue of an immediate receipt. Alternatively, the fee can be paid in cash at authorised points of sale. For foreign economic operators only, payment can also be made by international bank transfer, to bank account no. 4806788, held with Monte dei Paschi di Siena (IBAN: EN 77 O 01030 03200 0000 04806788 - BIC: PASCITMMROM) in the name of the National Anti-Corruption Authority.

The reason for payment must report only the tax identification code used in the participant's country of residence or establishment (e.g. VAT number) and the Tender Identification Code (CIG). Foreign economic operators must attach the receipt for the transfer to their bid.

4 - USE OF THE IT PLATFORM

Economic Operators wishing to enter the tender must necessarily:

- have the SPID, CIE or eIDAS;
- create a User account on the Platform;
- have activated the *Fascicolo Virtuale dell'Operatore Economico* [Virtual Dossier of Economic Operators] (FFVOE).

It is specified that:

- to register, participants must log in via SPID, CIE or eIDAS, as required by current legislation;
- the Contracting Authority shall verify, through the National Public Contracts Database, the participants' fulfilment of the applicable requirements by accessing the FVOE. To this end, the Economic Operator will be notified on the FVOE system and shall provide its authorisation to the C.A. within 5 days from its request.

4.1 - Tender registration

Registration for the tender requires the entry of two alphanumeric codes.

Both codes are required and are freely chosen by participants. They must be 8 characters long and may consist of numbers and lower case letters chosen from the 26 vowels and consonants of the Latin alphabet.

A code for the pre-selection phase and a different code for the competition phase must be indicated.

5 - PRE-SELECTION PHASE

5.1 - Papers required

During the Pre-selection phase, participants must produce a submission dossier consisting of:

1) Methodological report (PDF file not larger than 20 MB)

Illustrative and technical report, in **UNI A4** format on a **PDF file**, with no more than 3,500 characters per page, spaces included and vertically oriented, for a total of 5 (five) pages, plus cover page if necessary, illustrating the guiding criteria, also by means of diagrams and images, which the Bidder intends to adopt for the development of its project proposal. The report will also highlight the roles to be assigned to the members of the design team, summarily describing the skills of each member in relation to the scope of the tender.

The report shall not be larger than **20 MB**.

2) Reference projects (PDF file not larger than 20 MB)

Dossier containing **3 reference projects** carried out by the Bidder in the public or private field, each illustrated in no more than 5 (five) horizontally oriented UNI A3 tables in PDF format, considered by the Bidder as most representative of its work, also with regard to the scope of the Tender.

The dossier shall contain images and texts for no more than **15 (fifteen) pages plus the cover page on a** horizontally oriented PDF file in UNI A3 format, illustrating the three projects. Reference projects need not refer to hospital buildings. Reference projects must refer to works that have been or are being carried out, or have been awarded or mentioned in design competitions at least on a national scale.

Such works and/or projects shall be illustrated by providing the following information:

- Short description of the work or project;

- Author(s) of the work or project;
- Quantitative data on the volume or area of the work and the total amount of the work;
- Client;
- In case of a completed work: year of commencement and year of completion. In case of a work in progress: state of progress;
- Role and professional service carried out in the design of the work by the individual bidder or the leader of the temporary grouping.

The report shall not be larger than **20 MB**.

3) Curriculum vitae (PDF file not larger than 20 MB)

The bidder's professional curriculum vitae, listing in particular the international design competitions in which the bidder has participated, those for which the bidder has received prizes and mentions, and the bidder's architectural works, with particular regard to those relating to public buildings.

The curriculum vitae shall be 10 (ten) UNIA4 pages long, in addition to a cover page on a PDF file, font [Indicate font, body, line spacing, etc.], vertically oriented. Any parts exceeding the above-mentioned pages will not be considered.

No further or different papers are allowed other than those indicated in the Call and provided for by the platform. PDF files must be printable. The code chosen for the Pre-selection phase must not be entered.

This document shall not be larger than **20 MB**.

4) Description of the working group (PDF file not larger than 20 MB)

Document of no more than 10 (ten) pages in UNI A4 format on a PDF file, including at least the following resources:

- 1 Architect in charge of architectural design and of coordinating the various services;
- 1 Structural and earthquake-proof design manager;
- 1 Electricity and special systems design manager;
- 1 Landscape design manager;
- 1 Road design manager;
- 1 Water and mechanical installations design manager;
- 1 Safety coordinator during the design phase;
- 1 Geologist;
- 1 BIM Manager;
- 1 BIM Coordinator;
- n. 1 BIM Coordinator of specialist services;
- 1 CDE Manager;
- in case of a grouping: 1 young professional

One or more of the above services may be performed by a single professional if s/he is qualified for each of them. The working group may change, during the competition phase or during contract execution, with members having the same skills joining the group, subject to the Contracting Authority's authorisation.

5) Information Management Offer (*Offerta di Gestione Informativa - OGI*) (PDF file not larger than 20 MB)

The OGI shall be no longer than 20 pages, shall meet the conditions set out in the Exchange Information Requirements and their annexes and shall have the same structure.

No further or different papers are allowed other than those indicated in the Call and provided for by the platform. The PDF files of documents C), D) and E) must be printable and must not be larger than 20 MB each.

5.2 - Administrative documents

The Legal Representative of the Economic Operator must upload **the Application Form to participate in the Pre-selection phase** to the competition website, accepting the rules contained in these specifications, in **PDF format** not larger than **5 MB** and digitally signed (e.g. P7m format) by all the parties authorised to legally bind the Economic Operator(s) (no digitally signed digital files are allowed).

Each Bidder, whether acting individually or in a consortium or group, must fill in the part dedicated to it in the application form. The application form must be signed by the following persons:

- In the case of a single professional: by the professional;
- In the case of professional associations/associated firms: by the associate who is the legal representative of the association and/or firm, insofar as present, or by all associated professionals;
- In the case of professional companies: by the legal representative of the company or the associate with the necessary authority to bind the company;
- In the case of an engineering company: by the legal representative of the company or the partner with the necessary authority to bind the company;
- In the case of a stable consortium of professional and engineering companies: by the legal representative or the person with the necessary authority to bind the consortium;
- In the case of an already established group of economic operators (Temporary grouping, EEIG or ordinary consortium): by the group's agent;
- In the case of a not yet established group of economic operators (Temporary grouping, EEIG or ordinary consortium): by all the economic operators who will be members of the group; the form must be signed by the authorised persons depending on the legal status of each member.

5.3 - Technical information on digital signatures

A digital signature is required for administrative documents only. Under no circumstances must the papers be signed.

TYPE OF RESULTING FILE: the signatures of the bidder, if more than one, must be placed using the "parallel signature" system, i.e. the signatory subsequent to the first must sign only the data contained in the cryptographic envelope. The resulting file must therefore be of the "filename.pdf.p7m" type.

FILES NOT ALLOWED: in case of a file containing the ".p7m" extension several times, the "nested" or "matryoshka" signature is being used, which is not allowed by the application form.

In case of doubts or issues connected with the parallel digital signature system, bidders should contact the technical support service of their signature provider.

PLEASE NOTE that the digital signature certificate must be valid for the entire duration of the tender: opening a file with an invalid signature might be a ground for exclusion. The date of publication of the final ranking list should be used as the reference date. It is always advisable to time stamp the document.

5.4 - How to submit papers

Papers may only be submitted in accordance with the procedure set out on the tender website, by the deadline indicated in the timeline.

As confirmation of the successful completion of the procedure, the system will produce, in the reserved area of the Economic Operator, a receipt of the transmitted documents and papers, which will serve as acknowledgement for the participant. The registration receipt will remain available until the end of the procedure.

For tender registration to be valid, participants must fill in all the required fields indicated or marked with an asterisk on the online form and click on "Submit entry" by the indicated day and time.

Please note that reference is made to the time when “Submit entry” is clicked, not to the time when the page is opened. If “Submit entry” is clicked after the indicated time (Italian time), registration will not be successful.

Participants may cancel their registration and re-register, provided that both procedures take place by the indicated end date. After the specified day and time, an unsuccessful registration cannot be repeated, regardless of its reason. The time is imperative and refers to the server of the tender platform, configured with synchronisation with an NTP (Network Time Protocol) server.

5.5 - Requests for information

Requests for information may only be submitted according to the procedure provided on the competition website at <https://www.concorsiarchibo.eu/grande-ospedale-malpensa/quesiti> within the deadline indicated in the timeline. Requests for information may only be submitted by Users registered on the Tender Platform. To register, participants must log in via SPID, CIE or eIDAS, as required by current legislation.

All answers will be published by the RUP on the tender website, within the deadlines set out in the same timeline. Such answers, together with the relevant questions, will be an integral part of the call.

All communications between the contracting authority and economic operators shall be considered valid and effective if they are made through the tender website. Any data prejudicing anonymity should not be included in the participants’ questions.

Requests for technical support with regard to FVOE procedures, which can be resolved through the technical support provided by ANAC, do not amount to requests for information.

For any technical-operational needs, such as issues in uploading tender material, please contact the platform's technical support at assistenza.concorsi@kinetica.it.

5.6 - Evaluation Committee

The Committee for the evaluation of applications during the pre-selection phase is made up of five (5) full members appointed by the General Director of the Contracting Authority from among persons with expertise in the scope of the tender from the ASST [Aziende Socio Sanitarie Territoriali - Local Health Agencies] of Valle Olona and/or Aria Spa and/or the Lombardy Regional Government, and is appointed after the deadline for submitting applications.

Should one of its full members need to be replaced, an alternate member with the same qualifications as above shall be appointed by the Contracting Authority.

The members of the Evaluation Committee may not be:

- Bidders, their spouses or cohabitants and their relatives and relatives-in-law up to and including the fourth degree;
- employers and employees of the Bidders and those who have an employment or other known relationship with them. A known relationship arises where a situation is shared, even in the same working environment, which gives rise to a mutual interpenetration of the respective professional activities from a technical-organisational point of view.

Prior to making the evaluations falling within their remit, the committee members declare, pursuant to Art. 47 of Presidential Decree 445/2000, the non-existence of grounds for incompatibility and abstention from this Tender.

The Evaluation Committee will use a technical/administrative secretariat to record its works. Committee meetings are valid with the presence of all its members. The technical documents produced by participants may also be evaluated by committee members separately or via online sessions.

5.7 - Technical Secretariat

There is no technical secretariat for the following procedure.

The administrative documents submitted by the bidders admitted to the competition phase and the documents submitted for the purpose of proving their self-declared requirements are verified by the Tender Board appointed to this end.

The Tender Board is composed of the Single Project Manager and employees of the tendering organisation.

In particular, the Tender Board, in the course of a closed meeting:

- downloads the application forms received on the tender website and the documents attached to them, as submitted by the bidders admitted to the competition stage of the tender;
- verifies the formal accuracy and completeness of the documents submitted;
- provides for any *soccorso istruttorio* pursuant to Art. 101 of the code and for the admission or exclusion of participants;
- following the drawing up of the Tender ranking, checks the documents submitted by the successful bidder to obtain confirmation of the latter's self-declared requirements.

Non-admitted applicants will be notified at the end of the evaluation phase.

Minutes will be kept of these activities.

5.8 - Proceedings of the Evaluation Committee

The **5 (five)** bidders to be invited to the following competition phase will be selected by the application Evaluation Committee on the basis of the information provided in their Submission Dossier, having regard to the:

- Methodological report
- Skills and CV of the bidder
- Information Management Offer

Following the evaluations carried out by the committee, the **5 (five)** bidders to be invited to the following competition phase will be chosen. The platform will invite the selected bidders to participate in the single phase of the tender.

6 - COMPETITION PHASE

6.1 - On-site inspection

Not envisaged.

6.2 - Papers required

The **5 (five)** Economic Operators admitted to the project submittal phase are required to develop the project concept to be illustrated in the following papers:

1) Explanatory and technical report (PDF file not larger than 20 MB)

For a maximum of 3,500 characters per page, including spaces, in UNI A4 format on PDF file, vertically oriented, for a total of 20 (twenty) pages, illustrating the guiding criteria, also through schematics and images, of the design choices in relation to the objectives set out in the Call and the characteristics of the project;

2) Urban insertion report (PDF file not larger than 20 MB)

For a maximum of 3,500 characters per page, including spaces, in UNI A4 format on PDF file, vertically oriented, for a total of 10 (ten) pages, illustrating the guiding criteria, also through schematics and images, of the design choices in relation to the constraints identified by the VAS (*Valutazione Ambientale Strategica* - Strategic Environmental Assessment);

3) Technical drawings (PDF file not larger than 60 MB)

8 (eight) tables in UNI A0 format on PDF files, vertically oriented, illustrating the project concept and containing at least the following elements:

- plan of insertion of the intervention at a scale of not less than 1:2000, accompanied by profiles (schematic sections), which allows to evaluate the relationships of the new hospital and its area of relevance with the surrounding context and road network;
- plan of the project area including the hospital building and the area of relevance used for ancillary functions, at a scale of not less than 1:1000, with a definition of the road network (access flows and indoor-outdoor-emergency-logistics routes);
- 3D representations of insertion of the work from a territorial, urban and landscape point of view;
- plans of each hospital floor, elevations and sections at a scale of not less than 1:500, with the functional distribution and flow pattern (exterior, interior, goods);
any other illustrative technical work deemed suitable for making the morphological, typological, structural and technological aspects understood that allow the understanding of the architectural solutions adopted.

4) Summary calculation of costs and project economic overview (PDF file not larger than 20 MB)

In UNI A4 format on a PDF file for no more than 20 pages.

No further or different papers are allowed other than those indicated in the Call and provided for by the platform. PDF files must be anonymous in every part thereof and printable.

Any papers deviating from the above specifications or containing elements that may lead to the identification of the participant (such as titles, logos, mottos, etc.) will result in the latter's exclusion from the tender.

The code chosen for the Competition phase **must be entered**, in accordance with the Template made available in the Call and Documents section on the tender website.

When developing their project proposals, Bidders should take into account any suggestions made by the Judging Committee at the end of the pre-selection phase.

The files must be anonymous in both their content and properties and bear the code chosen for the competition phase; or else, the relevant participant will be excluded. No further or different papers are allowed other than those indicated in the Call and provided for by the platform.

The table "Sizing and parametric cost bid", in Chapter 6 of the Financial Plan and Economic Framework of the DIP, must be completed and attached.

6.3 - Administrative documents

The Legal Representative of the Economic Operator must upload to the tender website:

- **The Application Form to participate in the Competition phase**, accepting the rules contained in these specifications, in **PDF format not larger than 5 MB** and digitally signed (e.g. P7m format) by all the parties authorised to legally bind the Economic Operator(s) (no digitally signed digital files are allowed).

- A substitute statement as to the absence of any grounds for exclusion and to compliance with the participation limits set out in the European Single Procurement Document - **ESPD, in XML format**
- **Receipt for fee payment to A.N.A.C.**, if due, in **PDF format not larger than 5MB**.

Changes to the members of the groups of bidders admitted to the competition phase are permitted pursuant to Art. 68 (19) of Legislative Decree 36/2023.

6.4 - Technical information on digital signatures

Please see paragraph 5.3.

6.5 - How to submit papers and administrative documents

Papers and administrative documents may only be submitted in accordance with the procedure set out on the tender website, by the deadline indicated in the timeline.

As confirmation of the successful completion of the procedure, the system will produce, in the reserved area of the Economic Operator, a receipt of the transmitted documents and papers, which will serve as acknowledgement for the participant. The registration receipt will remain available until the end of the procedure.

For tender registration to be valid, participants must fill in all the required fields indicated or marked with an asterisk on the online form and click on "Submit entry" by the indicated day and time.

Please note that reference is made to the time when "Submit entry" is clicked, not to the time when the page is opened. If "Submit entry" is clicked after the indicated time (Italian time), registration will not be successful.

Participants may cancel their registration and re-register, provided that both procedures take place by the indicated end date. After the specified day and time, an unsuccessful registration cannot be repeated, regardless of its reason. The time is imperative and refers to the server of the tender platform, configured with synchronisation with an NTP (Network Time Protocol) server.

6.6 - Requests for information

Please see paragraph 5.4.

6.7 - Judging Committee

A Judging Committee is set up for the Competition phase, after the deadline for bid submission by the 5 bidders invited to the said phase, which will be made up of 5 (five) full members (at least three with a technical degree), chosen from among experts in the scope of the competition.

Specifically:

- a. The Chair of the Committee is designated by the President of the Lombardy Regional Government, and will be an expert in the scope of the Tender, chosen from among professionals of clear national and/or international renown and/or scholars of considerable and recognised scientific merit;
- b. One representative is designated by the General Director of the ASST of Valle Olona;
- c. An architect is appointed by the Association of Architects, Planners, Landscapers and Conservationists of Milan and will be an expert in architectural design;
- d. An engineer is designated by the Association of Engineers of Milan and will have specific skills in the design of electrical and technological facilities/plants;
- e. One representative will be appointed by the General Director of the Contracting Authority.

The names of the appointed committee members shall be published on the tender website after checking the absence of incompatibilities with the entrants.

Should one or more full members need to be changed, they will be replaced by technical experts in the subjects (architecture and engineering) relevant to the qualifying elements of the design project, and the Contracting Authority will provide for their timely replacement.

The members of the Judging Committee may not be:

- Bidders, their spouses or cohabitants and their relatives and relatives-in-law up to and including the fourth degree;
- employers and employees of the Bidders and those who have an employment or other known relationship with them. A known relationship arises where a situation is shared, even in the same working environment, which gives rise to a mutual interpenetration of the respective professional activities from a technical-organisational point of view.

Prior to making the evaluations falling within their remit, the committee members declare, pursuant to Art. 47 of Presidential Decree 445/2000, the non-existence of grounds for incompatibility and abstention from this Tender.

The decisions of the judging committees are taken by majority vote and are binding on the Contracting Authority. The judging committee, which may also meet using online procedures ensuring the confidentiality of communications, carries out its tasks in one or more confidential sittings; minutes of these meetings are drawn up and signed by all the members and kept by the Head of the Procedure.

The minutes of these meetings, which must be signed by all members, specify the method used and the corresponding proceedings. The final minutes must contain the ranking and corresponding grounds for all Bidders.

Finally, the Judging Committee establishes the merit ranking, identifying the successful bidder (no more than one successful bidder) and the projects coming in the subsequent places and receiving an expense refund as per paragraph 8.1 (Prizes and Expense refunds - ownership of papers) below.

The Judging Committee may also identify project proposals that are worth mentioning from among those not included in the ranking. For each awarded or mentioned project, the Committee draws up a concise critical opinion. The Committee may give an overall opinion on the proposals received and examined.

The records referred to in this article are published after the administrative decision acknowledging the same at <https://www.concorsiarchibo.eu/grande-ospedale-malpensa/bando-e-documenti> at the end of the tender procedure.

6.8 - Proceedings of the Judging Committee

At its first closed session, the Judging Committee, before examining the project proposals, decides how it will award merit points to remain consistent, having regard to the implementation of the criteria set out in the table below. Project proposals are evaluated by checking compliance with the following requirements, with the specification that failure to comply with the following categories will lead to exclusion from the tender:

- 1) Compliance with the indications, rules and requirements of the Project Design Guiding Document (DIP);
- 2) Compliance with the limit total estimated construction cost as indicated in Article 1 of the Call.

The bids are evaluated by the Judging Committee, which operates according to the evaluation criteria set out below:

| EVALUATION CRITERIA DURING THE COMPETITION PHASE | SCORE |
|---|--------------|
| 1. Bid quality | 15 |

| | |
|--|----|
| <p>The proposed architectural language, its potential to interact harmoniously and appropriately with the urban and environmental context, to dialogue correctly with the landscape in which the building is located, and its compliance with urban planning limitations as defined by the SEA, will be evaluated.</p> <p>(max. 15 points)</p> | |
| <p>2. Functional organisation</p> <p>Design proposals complying with the requirements set out in the tender documents will be positively evaluated, with particular reference to:</p> <ul style="list-style-type: none"> - potential of the design proposal to comply with the requirements, guidelines and standards set out in the Project Design Guiding Document, duly articulating its functions; - efficiency and functionality of the proposed distribution solutions, consistency and clarity of the relationships between the different parts of the building complex; - quality of diagnosis and treatment areas as well as of the areas dedicated to socialising and relations with the city; <p>(max. 10 points)</p> | 10 |
| <p>3. Organisation of treatment paths and processes</p> <p>Design proposals ensuring a balance and open dialogue between collective and reserved areas, between open and closed areas will be positively evaluated. In particular, the following aspects will be assessed:</p> <ul style="list-style-type: none"> - definition of accesses to improve the impact of the new structure on the existing road system; - map of traffic routes within the area, without affecting the park and green areas; - recognisability and accessibility of routes in terms of usability and confidentiality in the areas where this is required; - better functional distribution, paying particular attention to horizontal and vertical routes (study of flows and distribution scenarios); - use of the connective/distributive space also as an opportunity to create meeting and socialising areas in relation to multiple and different users; - the nearing and stopover of a helicopter for urgent medical transports will have to be provided for; the possibility for the facility to be served, also for logistical needs, by aircraft, including autonomous aircraft, will be regarded as an asset. <p>(max. 15 points)</p> | 15 |
| <p>4. Healing architecture</p> <p>Design proposals capable of creating a functional, welcoming and pleasant treatment environment, with particular reference to the following aspects, will be positively evaluated:</p> <ul style="list-style-type: none"> - increase and improvement of users' perceived well-being in the broadest sense of the word; - spatial quality of interior fittings and their potential to respond to the new requirements of the organisation of medical and nursing activities (integration of the proposed interior fittings - furniture, clinical and IT equipment, lighting, green areas, etc. - with the architectural design in relation to the different uses envisaged); - presence and quality of green areas in open and enclosed spaces, whether or not available to the public, depending on their use, distribution and potential to qualify the areas or facilities of the building itself; - functional and perceived correlation between the hospital and its dedicated appurtenant area, implementation of environmental redesigning works, so as to accommodate complementary functions (e.g. areas intended for short-stay accommodation facilities, hospitality for non-hospitalised patients and service functions in general) throughout the appurtenant area itself. <p>(max. 15 points)</p> | 15 |

| | |
|---|----|
| <p>5. Flexibility and resilience</p> <p>Project proposals ensuring utmost flexibility will be positively evaluated, with particular reference to:</p> <ul style="list-style-type: none"> - rapid adaptability of areas for potentially different future functions, through reconfigurations or expansions, such as to pursue any needs that may arise due to possible emergencies; - the possibility of easily rearranging in-patient areas both by increasing accommodation (e.g. by converting part of single-room wards into double rooms) and by remodelling high-intensity care areas. <p>(max. 15 points)</p> | 15 |
| <p>6. Ecological footprint</p> <p>Design proposals capable of maximising the building's environmental sustainability, efficiency and energy savings will be positively evaluated, with solutions that include smart-building systems and that demonstrate the potential to incorporate (and even enhance) materials, technical solutions and measures minimising the building's ecological footprint into its architecture.</p> <p>(max. 10 points)</p> | 10 |
| <p>7. Durability, maintainability and related management costs</p> <p>Design proposals ensuring the maximum durability of the components used as well as maintenance optimisation will be positively evaluated, with particular reference to:</p> <ul style="list-style-type: none"> - maximum durability of materials, in relation to the functions installed; - limited need for building maintenance and management; - accessibility and serviceability of engineering components; - sanitisation of individual construction elements; - provision of areas for the transport and replacement of large equipment; - system for monitoring construction materials and components over time. <p>(max. 10 points)</p> | 10 |
| <p>8. Construction technologies and lead times</p> <p>Project proposals will be positively evaluated if they propose innovative construction technologies, of proven efficiency and feasibility, that favour the simplification and speed of the design and construction phases, envisaging the use of innovative and cutting-edge materials, processes and construction technologies that ensure process industrialisation, pre-fabrication, modularity and efficiency of execution, also in relation to the reduction of time and construction costs and always consistent with the limit amount of the works set out in the Call.</p> <p>(max. 5 points)</p> | 5 |
| <p>9. Quality and accuracy of expenditure calculation</p> <p>Project proposals will be positively evaluated if, in compliance with the limit amount of the works set out in the Call and the public nature of the investment, they demonstrate, with the completeness of the calculated cost items, a correct and complete economic quantification of the project, also in view of its subsequent phases, as per the table "Sizing and parametric cost bid", in Chapter 6 Financial Plan and Economic Framework of the DIP.</p> <p>(max. 5 points)</p> | 5 |

Design proposals for the items described above must be drawn up in compliance with the CAM as described in the Project Design Guiding Document, in the document called "Minimum Environmental Criteria".

7 - ANNOUNCING THE SUCCESSFUL BIDDER

The Contracting Authority, in a public session to be announced on the tender website, announces the successful bidder and reads out the ranking of the participants by associating the names of the corresponding Bidders to their alphanumeric codes.

As regards fulfilment of the general requirements as per Articles 94, 95, 96, 97 and 98 of the Code and the special requirements as per paragraph 2.4 "Special Requirements" of this Call, the same must be proven, upon request by the Contracting Authority, by the highest-ranked bidder in order to be definitively awarded the Tender and the relevant prize. Failure to prove the above-mentioned requirements shall result in the exclusion of the Bidder from this Tender and in the award of the contract to the next eligible bidder, with the relevant notification to ANAC.

The following evidence, for example, is deemed adequate for the purposes of proving fulfilment of the applicable technical and professional requirements:

- copies of due performance certificates issued by public and/or private clients, indicating the scope, amount and period of performance of the services;
- a declaration by the Bidder, containing the scope of the contract, the CIG (if available) and the relevant amount of the services in question, the name of the client and the date of contract conclusion, and copies of the invoices for the period required.

The Tender is awarded to the first-ranked bidder meeting the general and special requirements envisaged for tender participation. The aforementioned requirements must also be proven by the other bidders in the ranking in order to be awarded the relevant prize.

8 - FINAL REQUIREMENTS

8.1 - Prizes and Expense refunds - Ownership of papers

The successful bidder receives a prize in the amount of **EUR 1,000,000.00** (net of VAT and all other legal charges) as an advance payment of its fees for the preparation of the technical and economic feasibility project, pursuant to "Ministerial Decree 17 June 2016" (see annex to the call "Fee calculation pursuant to Ministerial Decree 17 June 2016").

In particular, such payment, calculated pursuant to Art. 1.2 of this Call, will be made in the amount of EUR 1,000,000.00 following the announcement of the successful bidder, while the remainder will be paid as follows:

- **EUR 1,492,323.41** upon delivery of the Information Management Project and the Survey Plan;
- **EUR 2,500,000.00** following ASST's approval of the functional layouts and spatial distribution schemes;
- **EUR 2,500,000.00** upon delivery of the completed ESPD;
- **EUR 2,500,000.00** upon approval by the Contracting Authority.

The Bidders ranked from second to fifth will receive an expense refund in the amount of **EUR 150,000.00** each (VAT and any other legal charges included).

| PRIZE AND EXPENSE REFUNDS | AMOUNT GRANTED |
|---------------------------|----------------|
|---------------------------|----------------|

| | |
|-----------------------|---|
| Highest-ranked bidder | EUR 1,000,000.00, net of VAT and all other legal charges |
| Second-ranked bidder | EUR 150,000.00, including VAT and all other legal charges |
| Third-ranked bidder | EUR 150,000.00, including VAT and all other legal charges |
| Fourth-ranked bidder | EUR 150,000.00, including VAT and all other legal charges |
| Fifth-ranked bidder | EUR 150,000.00, including VAT and all other legal charges |

Upon such payment, as laid down in Art. 46 (3) of the Code, the Contracting Authority will become the owner of the successful project proposal. If the Judging Committee decides to award expense refund to a smaller number of projects, the unallocated sum may be distributed to the ranked bidders.

The prizes, as determined above, are paid by the Contracting Authority within 60 (sixty) days from the date of the administrative decision issued by the tendering organisation, after verifying fulfilment of the general and special requirements. **Within 30 (thirty) days from the announcement of the successful bidder**, the latter shall provide the Contracting Authority with the documents listed below:

- 1) Form for communications under Art. 3, Law 136/2010;
- 2) Insurance policy;
- 3) Memorandum of association of the temporary grouping of bidders (if the successful bidder is a temporary grouping).
- 4) Elevation survey of the area so as to successfully start the subsequent design phase - please refer to paragraph 3.1.3 of the Exchange Information Requirements attached to the basic tender documents.
- 5) MP4 videoclip with a maximum resolution of 4k, lasting no longer than 2 minutes, in a single zipped file not larger than 200MB, simulating and illustrating the configuration of the new hospital and its territorial and environmental insertion".

Please note that, in case of a bidder participating as a Temporary grouping, each member must submit the documents referred to in points 1) and 2) above.

The successful bidder is entrusted with the task of integrating the tender papers in order to reach the level of depth of a technical and economic feasibility project, as laid down in Art. 6 of Annex I.7 to Legislative Decree 36/2023.

In case of Temporary groupings, the amount due is paid only to the member indicated as group leader in the application form.

Upon request, the authors of the awarded projects or of the projects deemed worth mentioning, after their requirements are successfully verified, are issued a Certificate of Due Service Performance, which can be used for curricular purposes. Accordingly, the Bidders in the ranking or those deemed worth mentioning may

assimilate their performance to a technical and economic feasibility project as identified in the above-mentioned Ministerial Decree 17 June 2016.

All intellectual property rights and copyrights in the submitted projects belong to the relevant competing authors according to the legal provisions on copyrights and intellectual property rights. Bidders shall be accountable for the designs, images and material made available to the Contracting Authority and requested for participation in case of any infringement of patent rights, copyrights, intellectual property rights and, in general, third-party rights. The Contracting Authority may use the images of the successful projects for dissemination or publicity purposes.

No remuneration is paid for participation in the pre-selection phase of the Tender.

8.2 - Drawing up the technical and economic feasibility project

As for the content of the technical and economic feasibility project (PFTE), drafted and developed using BIM technology, and its timing, reference should be made to the Technical-Economic Feasibility Design contract outline attached to this Call.

8.3 - Publication of tender results

Subject to the provisions of the relevant laws in force, the results of the Tender will be published on the Contracting Authority's website and on the Tender website at <https://www.concorsiarchibo.eu/grande-ospedale-malpensa> within 10 (ten) days from the date of approval of the work of the Judging Committee and will be communicated to the professional Associations concerned.

9 – FINAL PROVISIONS

9.1 – Privacy

The personal data provided with the application form for the Tender are processed by the Contracting Authority (data controller) for the sole purpose of identifying the Tender finalists after examining and evaluating their projects. Data processing is based on the legal framework concerning the execution of pre-contractual measures taken at the request of data subjects and the fulfilment of legal obligations.

Data are kept for ten years after conclusion of the call and any appeals.

Data may be disclosed to other parties only for purposes strictly related to the Tender, for information system management and the enhancement of the project proposals referred to in the following paragraph.

The data collected are processed, including by computerised means in accordance with Regulation (EC) No. 2016/679/EU of 27 April 2016, exclusively within the scope of the Tender governed by this document.

In accordance with Legislative Decree 196/2003, by accepting this Call, participants expressly consent to the processing of their personal data for purposes relating to the Design tender, in compliance with the provisions in force.

Personal data may be transferred to countries outside the EU or EEA. In such cases, the Contracting Authority shall preferably use suppliers in the EEA; otherwise, it shall verify supplier suitability in accordance with the provisions laid down by the European Commission and the Data Protection Authority.

Data subjects have certain rights laid down by law. Specifically, they have the right:

- to the extent permitted by laws or regulations, to obtain access to their personal data, to ask for their correction or erasure and for the restriction or blocking of their processing as well as to request their portability;

- to send a complaint to the Contracting Authority, its Data Protection Officer or the national supervisory authority (in Italy, the *Garante per la protezione dei dati personali*) by following the instructions on its website.

It should be noted that some data cannot be erased and some processing operations cannot be blocked since the Contracting Authority is required by law to keep track of the calls launched and their results. To exercise the aforesaid rights, the Contracting Authority's channels indicated below should be used.

The Data Protection Officer (DPO) may be reached at the following e-mail address: rdp@ariaspa.it.

The data controller is ARIA S.p.A., with registered office in Via Torquato Taramelli No. 26, 20124 - Milan. The data subject may contact the Data Controller to exercise the rights described above by sending a notice by registered mail to the address: Via Torquato Taramelli No. 26, 20124 - Milan, for the attention of the "*Struttura Supporto Normativo Protezione dei Dati Personali di ARIA S.p.A.*", or by sending an e-mail to uffprivacy.siss@ariaspa.it.

9.2 - Disclosure and publication of project proposals

Upon payment of the prize, the Contracting Authority becomes the owner of the successful project proposal. In any case, all copyright and intellectual property rights in the project proposals will remain vested in their authors.

The Contracting Authority undertakes to illustrate the initiative to the press and to give value to the results of the Tender through such actions as it deems appropriate, mentioning the names of the individual authors without paying any additional remuneration thereto.

Participants may publish their papers without restriction, as long as the tender procedure has ended.

By taking part in the Tender, the Bidders authorise the disclosure and possible publication of the papers submitted thereby, also at the link <https://concorsiarchibo.eu/> or on the Client's Profile, without being entitled to any payment therefor.

9.3 - Assignment of the development of further project phases

The tendering organisation may launch the subsequent executive design phase with reference to the successful project proposal.

In this case, the successful bidder will be awarded - by negotiated procedure without a call and applying a **20%** discount to the fee calculated in accordance with the Project Design Guiding Document attached hereto, with the negotiation required by Art. 46 (3) of Legislative Decree 36/2023 thus being deemed performed - the assignment for **the preparation of the executive design of the new WORK**.

The fees and services required above are calculated in accordance with Ministerial Decree 17 June 2016 in the manner set out in Annex I.13 to the Code, on the basis of the value of the works as defined by the DIP, which is to be understood as fixed and unchangeable.

For the awarding of the above-mentioned services, the contractor shall enter into an appropriate contract with the tender organisation, the general terms and conditions of which are set out in the **outline annexed to this call for the executive design**.

The tender organisation may assign the subsequent design phase according to different timelines and lots, having regard to the different functional uses of the areas covered by the Tender as well as to the different forms, timing and conditions of their financing.

9.4 - Publication and dissemination of the call - Single Project Manager

In addition to the publications required by law, the Call is published also on the Contracting Authority's website and on the ConcorsiArchibo platform at <https://www.concorsiarchibo.eu/grande-ospedale-malpensa>.

The Single Project Manager (RUP) is Mr. Rosario Luca Cirrelli.

9.5 – Language

The official language of the tender is Italian.

Requests for information and tender papers are to be drafted in Italian. Only the metric system is used for tender documents and projects.

9.6 - Acceptance of tender conditions

Participation in the Tender implies unconditional acceptance by each Bidder of all the provisions set out in this Call.

The Contracting Authority may interrupt the Tender at any time for justified reasons. If the Tender is interrupted before design starts (i.e. before the start date of the competition phase), no reimbursement or indemnity of any kind is envisaged or payable.

9.7 - Final provisions - Jurisdiction

Access to the records of the entire procedure is permitted once the contract has been awarded by the Contracting Authority. For all matters not governed by this Call, the relevant laws in force shall apply.

Art. 220 of the Code and Arts. 119 and 120 of Legislative Decree 104/2010 (Administrative Process Code) shall apply.

The Call and all acts connected with and consequential to the Tender procedure may only be challenged by lodging an appeal with the regional administrative court.

The Regional Administrative Court of Lombardy has jurisdiction over any disputes.

10 - REFERENCE LAWS AND REGULATIONS

- Presidential Decree 5 June 2001, No. 328, “Amendments and additions to the rules governing the requirements for admission to the State professional examination and the relevant tests for the exercise of certain professions, as well as to the rules governing the relevant systems”
- Legislative Decree 30 June 2003, No. 196, “Data Protection Act”;
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, “General Data Protection Regulation”;
- Legislative Decree 2 July 2010, No. 104, “Administrative Process Code”;
- Legislative Decree 31 March 2023, No. 36, “Public Contracts Code”;
- Resolution No. 610 of 19 December 2023, “Self-financing 2024”;
- Decree Law 19 May 2020, No. 34, converted into Law 17 July 2020, No. 77, “Urgent measures on health, employment support and the economy, as well as social policies in relation to the epidemiological emergency deriving from COVID-19”;
- Ministerial Decree 17 June 2016 “Approval of the tables of fees commensurate with the quality level of design services”;
- Ministerial Decree 2 December 2016, No. 263 “Regulation defining the requirements to be met by economic operators for the award of architectural and engineering services”;

- Notice from the ANAC President of 9 January 2019, “Deferment of the operation of the Register of Tender Committee Members”.

Decree Law 18 April 2019, No. 32, converted into Law 14 June 2019, No. 55, “Urgent provisions for the relaunch of the public contracts sector, for the acceleration of infrastructure interventions, urban regeneration and reconstruction works following seismic events”.