

INTERNATIONAL DESIGN COMPETITION

NUOVA BEIC

Biblioteca Europea di Informazione e Cultura



NUOVA BEIC

Biblioteca Europea di Informazione e Cultura

Competition Notice

credits

Promoter

Mayor Giuseppe Sala

Councillor's Office for Culture
Councillor Tommaso Sacchi

Councillor's Office for Urban Regeneration
Councillor Giancarlo Tancredi

with

Fondazione B.E.I.C.
President Francesco Paolo Tronca

Drafting of the Competition Notice

Arch. Simona Collarini – Director of Urban Regeneration Dept.
Arch. Paola Velluto, Arch. Chiara Desiderio, Junior Arch. Myriam Alice
Lunghini, Dr. Giovanni Vitali
Urban Regeneration Department

with

Dr. Maria Lucia Grande – Director of Procurement Management Dept.
Dr. Laura Lanza, Arch. Danilo Molari, Dr. Alessia Pagano
Procurement Management Department

with the collaboration of

Order of Architects, Planners, Landscapers and Conservators for the
Province of Milan

Drafting of the Preliminary Design Document

Working Group Coordination

Arch. Simona Collarini – Director of Urban Regeneration Dept.
Arch. Paola Velluto, Arch. Chiara Desiderio, Junior Arch. Myriam Alice
Lunghini, Dr. Giovanni Vitali
Urban Regeneration Department

Dr. Marco Edoardo Maria Minoja – Director of Culture Dept.

Eng. Salvatore Barbara – Director of Specialist Dept. for Territorial
Infrastructure

Working Group

Dr. Maria Lucia Grande – Director of Procurement Management Dept.
Arch. Danilo Molari
Procurement Management Department

Dr. Stefano Parise – Director of Library Area
Culture Department

Eng. Valentina Andrea Zorzi
Urban Regeneration Department

Dr. Maria Dinatolo – General Director
Fondazione B.E.I.C.

Arch. Demetrio Scopelliti – Director of Urban Planning, Territory and
Public Space

Arch. Chiara Guidarelli, Eng. Giacomo Longo
AMAT s.r.l.

with the contribution of

Eng. Stefano Fabrizio Riazzola – Director of Mobility Dept.

Eng. Nicola Nicoliello

Mobility Department

Eng. Diego Porta, Arch. Daniela Pellegatta, Eng. Claudio Ricotti

Rete Ferroviaria Italiana S.p.A.

Eng. Antonella Antonelli, Eng. Massimo Guzzi, Eng. Paolo Grizziotti,

Eng. Simona Micheletto

Metropolitana Milanese S.p.A.

Sole Manager of the Procedure

Arch. Simona Collarini

Coordinator of the Competition

Arch. Paola Velluto

Secretariat of the Competition

Arch. Chiara Desiderio, Junior Arch. Myriam Alice Lunghini, Dr.

Giovanni Vitali, Arch. Chiara Guidarelli (*AMAT s.r.l.*), Eng. Giacomo

Longo (*AMAT s.r.l.*)

Information on the Competition

www.nuovabeic.concorrimi.it

www.comune.milano.it

Publication of the Competition Notice

Gazzetta Ufficiale V Serie Speciale – Contratti Pubblici no. 36

dated 25.03.2022

Identification Code of the Competition

91490567D9

Translations

Action Line S.c.a.r.l.

Acknowledgements

Arch. Marino Bottini, Eng. Saverio Cutrupi, Dr. Riccardo Gusti, Eng. Manuela Ojan (*AMAT s.r.l.*), Eng. Marcello Oneta, Dr. Marco Pialorsi, Eng. Mario Poggi

contents

chapter 1

DEFINITION OF THE COMPETITION

- 1. Subject of the Competition 9
- 2. Type of procedure 11

chapter 2

PARTICIPATION IN THE COMPETITION

- 3. Subjects admitted to the Competition: participation requirements 13
- 4. Causes of incompatibility and reasons for exclusion 14
- 5. Acceptance of the regulation 15
- 6. Procedure for remedying documentation deficiencies 15
- 7. Payment of ANAC contribution 16
- 8. Competition documents 16
- 9. Questions and requests for clarification – site inspection 17
- 10. Required documents 18
- 11. Terms and conditions of participation in the Competition – submission of documents 21
- 12. Competition schedule 22

chapter 3

JURY'S WORK – COMPETITION RESULTS

- 13. Jury – preliminary examination 23
- 14. Public session 25
- 15. Jury's work 25
- 16. Announcement of the winner 26

chapter 4

FINAL OBLIGATIONS

- 17. Amount to the winner and participation acknowledgements – ownership of documents 27
- 18. Publication of Competition results 28

chapter 5

FINAL PROVISIONS

- 19. Privacy 29
- 20. Exhibition and publication of project proposals 30
- 21. Assignment of the development of further project levels 30
- 22. Publicity and diffusion of the Competition notice – Sole Manager of the Procedure – Coordinator of the Competition 36
- 23. Language 36
- 24. Final provisions – jurisdictional protection 36

chapter 1

DEFINITION OF THE COMPETITION

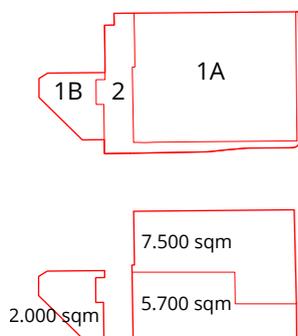
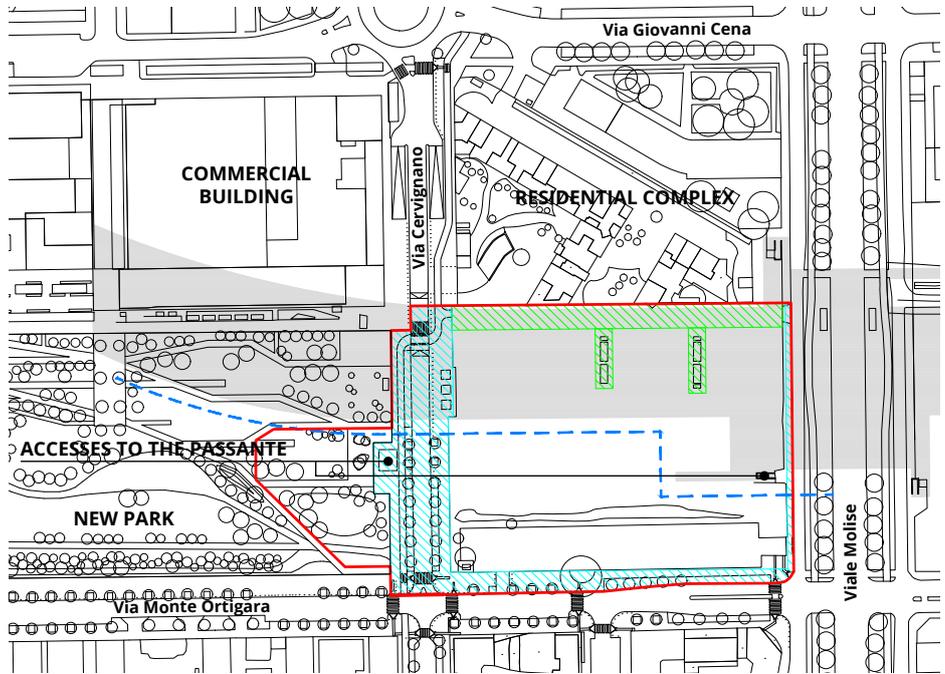
1. SUBJECT OF THE COMPETITION

The **Municipality of Milan** (hereinafter referred to as the “Organising Body”) announces an International Design Competition in a single stage, with an open procedure, for the construction of the New European Library of Information and Culture (“Nuova B.E.I.C.”). The subject of the Competition is to acquire a project with a level of detail equal to that of a **technical and economic feasibility project**.

The Competition area is defined in the annex “3.2 Board with perimeter of the Competition area” and is divided into two areas of intervention:

fig. 1
Perimeter of the Competition area. (see fig. 21 of the P.D.D. and annex “3.2. Board with perimeter of the Competition area”).

- Legend
- perimeter of the technical and economic feasibility project —
 - recently completed works
 - unbuildable area
 - boundary of the Passante Ferroviario
 - area occupied by the Passante Ferroviario



- **Area 1**, which consists of two sub-areas separated by Via Cervignano:
 - **Sub-area 1A** (area of approx. 13,200 m²) borders on the east with Viale Molise, on the south with Via Monte Ortigara, on the west with Via Cervignano and on the north with a residential complex. As part of this point, a project is requested for the construction of the Nuova B.E.I.C. Given the presence of the Passante tunnel, it is allowed to design underground parts of the building only in the southernmost part of the area on a total surface of 5,700 m², following the indications reported in paragraph 3.3 of the Preliminary Design Document (hereinafter, for brevity, P.D.D.). Participants are also required to design the street furniture and the surface arrangement of the areas

outside the Nuova B.E.I.C. (including furniture and lighting). Furthermore, participants are required to design the interior fittings and furnishings of the new library.

- **Sub-area 1B** (surface area of approx. 2,000 m²), corresponding to a part of the park currently under construction, located west of Via Cervignano. In line with what has already been achieved in the park, the provision of an additional library building and a connection (possibly aerial, in compliance with existing constraints) between the park and sub-area 1A is not excluded.
- **Area 2** (area of approx. 3,800 m²), containing recently completed works, such as the section of Via Cervignano between the access to the residential complex and the intersection with Via Monte Ortigara and the pavements along Viale Molise and Via Monte Ortigara. In view of the recent construction of Via Cervignano, participants are asked to evaluate a redevelopment of its surface – also considering its pedestrianisation – and its transformation into a quality public space, able to integrate the park with the new library. Any choice, in this sense, will have to take into account the existing accesses (parking ramps of the commercial building, maintenance accesses to the park and public spaces, accesses to the Passante Ferroviario, etc.). As stated in paragraph 3.7 of the P.D.D., existing trees must be preserved and the amount of greenery and soil permeability must be increased. The space in Via Cervignano should be configured not so much as a place of passage, but as a meeting and socialising place, safe and easily accessible, an integral part of the library. This space should remain unbuilt and the cycle and pedestrian permeability and the north-south connection between Via Giovanni Cena and Via Monte Ortigara should be guaranteed.

The indications for the project, with a detailed description of the contents and objectives to be pursued, are available in the P.D.D. In particular, it should be noted that:

- for the purposes of feasibility, the winning project must acknowledge and take account of the indications given by Rete Ferroviaria Italiana (R.F.I.) regarding building restrictions in the areas adjacent to the Passante Ferroviario, bearing in mind that the subsequent design phases (definitive and executive) must be subjected to the authorisation procedure of the aforementioned body, pursuant to Presidential Decree 753/1980;
- the Organising Body will proceed with the necessary environmental analysis and actions; the technical and economic feasibility project will therefore have to be fully adjusted and harmonised with the resulting findings;
- participants must propose solutions that allow the subsequent phases of project development to comply with the provisions of Art. 10 of the Implementation Rules of the P.G.T. Regulatory Plan,

as better specified in paragraph 4.10 of the P.D.D.; the winning project must be subjected to verification of this regulatory provision, with which it will be obliged to comply.

The total maximum cost of the work to be carried out (Economic Framework, including cost of works, design costs, supervision of works, inspections, safety costs, Competition expenses and sums available to the Organising Body) is set at **€ 115,000,000.00** (VAT included).

The amount relating to the works is defined as **€ 78,000,000.00** (excluding VAT), as per the detailed contents indicated in the P.D.D., which shows the classification of the various categories of work envisaged, identified according to the "ID-Works" codes pursuant to the Ministerial Decree of 17 June 2016 on professional fees for Architectural and Engineering Services.

In particular, the work amount is divided into the following amounts:

- **€ 69,600,000.00** (excluding VAT) as the work quota for the construction of the Nuova B.E.I.C. (Sub-Area 1A);
- **€ 8,400,000.00** (excluding VAT), as the work quota for the resurfacing of Via Cervignano (Area 2), as well as for the construction of the possible connection between the Nuova B.E.I.C. and the new park (Sub-Area 1B). Any sums not used for the connection referred to in Sub-Area 1B may be used for the construction of the Nuova B.E.I.C. (Sub-Area 1A).

Within the Economic Framework for the realisation of the work, a sum is also foreseen for the sole design of the furniture for the Nuova B.E.I.C. and for the sole design of any further green surface arrangement of the areas outside the new work; the value of the relative works has been quantified on the basis of parametric estimates, respectively in:

- **€ 6,960,000.00**, for the furniture for the Nuova B.E.I.C.;
- **€ 5,000,000.00**, for any additional surface greening of the areas outside the new work

as indicated in the annex "Calculation of fees pursuant to Ministerial Decree of 17 June 2016".

2. TYPE OF PROCEDURE

The Competition, with an open procedure, consists of a single stage aimed at identifying the **best project proposal** among those submitted within the deadline provided for in Art. 12 of this Competition Notice.

In order to ensure anonymity and uniform conditions of participation,

the Competition procedures and the relationship between the Organising Body and the participant will be carried out exclusively by electronic means via the website www.nuovabeic.concorrimi.it. The participant will have access to the above-mentioned website by registering and will be able to download the material necessary for participation, ask questions, consult the “news” page and upload the design proposals.

The system will assign each participant an alphanumeric code (registration code) and guarantee the anonymity of the entire procedure¹.

¹ To ensure anonymity and uniform conditions of participation, the Platform assigns two unique alphanumeric codes for each registration:

- one only for the participant (registration code)
- one only for the Sole Manager of the Procedure (platform code)

As a further guarantee of anonymity, the Sole Manager of the Procedure will carry out his/her activity under the unique code “platform code”.

3. SUBJECTS ADMITTED TO THE COMPETITION: PARTICIPATION REQUIREMENTS

The Competition is open to all subjects pursuant to Art. 46, subsection 1 of Legislative Decree 50/2016, as amended, in possession of the requirements set forth in Ministerial Decree 263/2016, as amended.

Specifically, the Competition is open to Architects and Engineers registered with their respective professional Orders or in professional Registers of the countries they reside/work, qualified to practice the profession at the date of publication of this Competition Notice, who do not incur in the reasons for exclusion pursuant to Art. 80 of Legislative Decree 50/2016 as amended.

The participation of junior architects and junior engineers is permitted within the limits of Art. 15 et seq. (for the profession of architect) and Art. 45 et seq. (for the profession of engineer) of Presidential Decree 328/2001, as amended.

Competitors may participate individually or jointly in groups. In the case of a group, a group leader must be appointed, who shall be the sole responsible and contact person in relation to the Organising Body for the entire duration of the procedure, including any phases of assignment the development of further project levels (definitive and executive).

The group constitutes a single entity for the purposes of the Competition and the ownership of the corresponding design proposal will be acknowledged, with equal titles and rights, to all the members of the group².

² Please note that the expression “single entity”, in the case of participation in a temporary consortium, does not imply that any temporary consortia will be considered, for the purposes of the Competition, as a new and autonomous legal entity with respect to the subjects it comprises.

It is therefore understood that the unity of the consortium is relevant, in the context of this Competition, solely for the purposes of authorship of the concept proposals and design proposals to be submitted.

With regard to the right of the interested subjects to use external collaborators and consultants, who will not therefore become participants, it should be noted that:

- pursuant to Art. 31, subsection 8 of Legislative Decree 50/2016, as amended, it is forbidden for the person who will be awarded the design assignment to subcontract, except for activities relating to geological, geotechnical and seismic surveys, surveys, measurements and staking, the preparation of specialised and detailed drawings, with the exclusion of geological reports, as well as the graphic drafting of the design drawings. The designer may entrust to third parties activities of specialised consultancy inherent to the energy, environmental, acoustic sectors and other sectors not pertaining to the disciplines of engineering and architecture for which special certifications or competences are required, the responsibility of the designer also for the purposes of such activities remaining firm. However, the exclusive responsibility of the designer remains;

The groups, even if not yet formally constituted, must include, as designer, the presence of at least one graduate professional, qualified to practice the profession for less than 5 (five) years prior to the date of publication of this Notice, pursuant to Ministerial Decree 263/2016 as amended. Participants in the Competition, individually or in groups, may use consultants and collaborators, even if they are not members of professional Orders or Registers.

The status and nature of the consultancy or collaboration must be declared for each individual consultant or collaborator. Tasks and assignments of consultants and/or collaborators are defined within the bidding group without any impact on the relationship between the bidder and the Competition authority.

Participants are not required to meet the special requirements set out in Art. 83 of Legislative Decree 50/2016 as amended. They shall be demonstrated exclusively by the winner after the conclusion of the Competition procedure and prior to the negotiated procedure for the assignment of the next levels of design and other architectural and engineering services, also through the procedure of availment or the establishment of a temporary consortium, in accordance with the provisions of, respectively, Arts. 89 and 152, subsection 5 of Legislative Decree 50/2016, as amended.

4. CAUSES OF INCOMPATIBILITY AND REASONS FOR EXCLUSION

The reasons for exclusion of a participant shall be those set out in Art. 80 of Legislative Decree 50/2016 as amended:

1. those who have taken part in the drafting of this Competition Notice and of the attached documents, their spouses and relatives up to the fourth degree inclusive and anyone who has an ongoing working relationship or other known relationship with them. "Known relationship" means that situation of sharing, even in the same working environment, which has given rise to a mutual contact between professional activities from the technical and organisational point of view;
2. those who may be favoured by virtue of the performance of preliminary services relevant to the Competition and/or their involvement in the drafting of the Competition Notice and its annexes or in the implementation of the Competition;
3. subjects (including employees of the Organising Body) who, on the date of publication of this Notice, have a collaboration

- pursuant to Art. 105, subsection 3, letter a) of Legislative Decree 50/2016, as amended, special activities given to self-employed persons are not considered subcontracting. Attention is therefore drawn to the aforementioned rules in order to avoid the use of impermissible forms of subcontracting.

relationship of any kind with the Organising Body on the subject of the Competition. The incompatibility is extended to spouses and relatives up to and including the fourth degree.

Participants in the Competition shall comply with the environmental, social and labour obligations established by European and national legislation, collective agreements or the international provisions listed in Annex X of Legislative Decree 50/2016 as amended, as well as the rules on health and safety at work and the regularity of contributions and social security, according to Italian legislation or to that of the State in which they are established.

Participation in any form (group leader, member of a group, consultant, collaborator) by a participant in more than one group will result in the exclusion from the Competition of both the individual participant and the group or groups of which he or she is a member.

Participants and members of the Jury may not have any contact about the subject of the Competition for the entire duration of the Competition, under penalty of exclusion.

Participants and the Organising Body may not have any contact whatsoever on the subject of the Competition for the entire duration of the Competition, under penalty of exclusion, except as provided for in Art. 9 of this Competition Notice.

5. ACCEPTANCE OF THE REGULATION

By taking part in the Competition, participants accept, without reservation, all the rules contained in this Notice and in the attached documents.

Those taking part in the procedure expressly exempt the Organising Body from any liability relating to any malfunction or defect in the connection services necessary to reach the IT system for the acquisition of project proposals and documentation.

6. PROCEDURE FOR REMEDYING DOCUMENTATION DEFICIENCIES

Deficiencies in any of the formal elements of the application, with the exclusion of those relating to the project proposal, may be remedied via the procedure for remedying deficiencies as set out in Art. 83, subsection 9 of Legislative Decree 50/2016 as amended. For this purpose, the Organising Body shall grant the participant a period of time, not exceeding 5 (five) days, to return, supplement or regularise the necessary documents and declarations, indicating the

content and the subjects who must make them. If the deadline for regularisation expires unsuccessfully, or if the additions submitted are inadequate, the participant shall be excluded from the procedure.

7. PAYMENT OF ANAC CONTRIBUTION

Pursuant to Resolution no. 830 of 21 December 2021, participants must pay the sum of **€ 70.00** as a contribution for participation in this Competition to the National Anti-Corruption Authority³, under penalty of exclusion, by the deadline for the submission of documents, following the operating instructions provided by the Authority itself on its website www.anticorruzione.it/-/gestione-contributi-gara.

8. COMPETITION DOCUMENTS

The Organising Body provides the following documentation, which can be downloaded from the website www.nuovabeic.concorrimi.it:

1. COMPETITION NOTICE

Bando di Concorso (*documento_Bando.pdf*)

Competition Notice (*Competition Notice.pdf*)

1.1 Fac-simile Terms of engagement Nuova BEIC

(*1.1 Fac-simile Disciplinare di incarico Nuova BEIC.pdf*)

1.2 Completion method table for administrative documents

(*1.2 Tabella modalità di compilazione documentazione amministrativa.pdf*)

2. PRELIMINARY DESIGN DOCUMENT

2.1 Documento Preliminare alla Progettazione

(*2.1 Documento Preliminare alla Progettazione.pdf*)

2.2 Preliminary Design Document

(*2.2 Preliminary Design Document.pdf*)

3. CARTOGRAPHY

3.1 Photomap with the Competition area

(*3.1 Fotopiano con area di Concorso.pdf*)

3.2 Board with perimeter of the Competition area

(*3.2 Tavola con perimetrazione area di Concorso.pdf*)

³ The online payment service operates at predetermined times and does not guarantee immediate receipt. As an alternative, payment can be made 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, opened at Monte dei Paschi di Siena (IBAN: IT 77 0 01030 03200 0000 04806788 - BIC: PASCITMMROM) in the name of Autorità Nazionale Anticorruzione (National Anti-Corruption Authority). The reason for payment must indicate only the tax identification code used in the country of residence or headquarters of the participant (e.g. VAT number) and the CIG identifying the procedure in which the participant intends to participate. The foreign economic operator must enclose the receipt of the bank transfer with the bid.

3.2 Board with perimeter of the Competition area – AUTOCAD
(3.2 Tavola con perimetrazione area di Concorso - AUTOCAD.zip)

3.3 Trees in the Competition area
(3.3 Alberi area di Concorso_R3GIS.zip)

3.4 Constraints and urban planning indications PGT 2030
(3.4 Vincoli e indicazioni urbanistiche PGT 2030.pdf)

3.5 Boards of subservices
(3.5 Tavole sottoservizi.pdf)

4. IMAGES AND VIRTUAL TOUR

4.1 Virtual Tour link
(4.1 Link Virtual Tour.pdf)

4.2 Images of the current status of the Competition area
(4.2 Immagini stato di fatto area di Concorso.zip)

4.3 Historical photos of the Competition area
(4.3 Foto storiche area di Concorso.zip)

5. REGULATORY FRAMEWORK AND STUDIES

5.1 Greening regulations
(5.1 Normativa tutela del Verde.zip)

5.2 Public space - Design guidelines
(5.2 Spazio pubblico – Linee guida di progettazione.pdf)

5.3 New Park Project
(5.3 Progetto Nuovo Parco.zip)

5.4 Price lists for the execution of works 2022
(5.4 Listino prezzi per l'esecuzione delle opere 2022.zip)

5.5 Porta Vittoria Station
(5.5 Stazione Porta Vittoria.zip)

5.6 Porta Vittoria reclamation certification
(5.6 Certificazione bonifica Porta Vittoria.pdf)

6. CALCULATION OF FEES

6.1 Calculation of fees pursuant to Ministerial Decree of 17 June 2016
(6.1 Calcolo onorari ai sensi del D.M. 17 giugno 2016.pdf)

9. QUESTIONS AND REQUESTS FOR CLARIFICATION - SITE INSPECTION

After registering on the Platform website, subjects interested in the Competition and participants may submit requests for clarification to the Organising Body, exclusively by filling in the electronic form provided on the website, by **1:00 p.m.** on **20.04.2022**.

The deadline for publishing clarifications on the website, even in summary form, is **04.05.2022** at **5:00 p.m.**

Dates for inspections, including detailed operational procedures, will

be published on the Platform website.

In view of the considerable degree of complexity of the project required, participation in such visits is strongly recommended.

Taking into account the evolution of the current health emergency, as well as any events of force majeure that prevent or make it unreasonably difficult for participants to participate in the aforementioned inspections, a virtual tour of the areas covered by the Competition is uploaded onto the Platform website, in order to guarantee the widest participation and equal treatment for all participants.

10. REQUIRED DOCUMENTS

The design proposal required for participation in the Competition must consist of the following documents:

1. Technical-illustrative report of the project

The report must describe the project and provide the necessary indications for the continuation of the project process. In detail, the report should address the following topics:

- description of the characterisation of the project from the point of view of its insertion in the reference context and its relationship with the surrounding urban fabric;
- explanation of the reasons for the proposed solution and justification of the architectural and technical choices of the project;
- a general description of the design solution from a functional point of view, accompanied by tables showing the main dimensional data of the project and detailed data relating to the planned functions;
- description of the project criteria aimed at environmental, energy and economic sustainability, with particular reference to the technologies and materials envisaged, as well as to the construction and innovative solutions and methods to be adopted, also with reference to the realisation of the project in different time phases and areas (Area 1 and Area 2);
- description of the project criteria in terms of building constraints in the areas adjacent to the Passante Ferroviario, taking into account that the subsequent project phases (definitive and executive) will have to undergo the RFI authorisation process, pursuant to Presidential Decree 753/1980;
- accessibility, use, ease and cost-effectiveness of maintenance and management of project solutions;
- circumstances that cannot be apparent from the drawings;
- first indications and measures aimed at protecting health and safety on the construction site when drawing up safety plans;

- summary report on the economic and financial aspects of the project;
- an outline timetable showing the main executive phases and the overall duration of the works, which must be completed **by June 2026**, in order to guarantee the achievement of the objectives established by the N.R.R.P. with reference to the intervention that is the subject of this Competition Notice, as explained in greater detail in the Foreword and in Chapter 1 “Objectives of the Competition” of the P.D.D.;
- ability to develop the definitive and executive projects in BIM in the post-Competition phases;
- illustrative abstract of the project, up to a maximum of 3,000 characters including spaces, which the Organising Body may use in exhibitions, shows and publications (including online) as per Art. 20 “Exhibition and publication of project proposals” of this Notice. The abstract must also be provided in English.

The report, in PDF file, may contain images and graphic diagrams and must be contained in a file up to a maximum of 24 pages in UNI A3 format plus the cover, in landscape mode (up to a maximum of 3,500 characters per page including spaces). The 24 pages must include the reductions of the 5 boards.

2. Drawings

- urban framework in scale 1:1,000 and 1:500;
- general plans, profiles, sections and elevations on a scale appropriate to the project description;
- plans in a scale of 1:200 or 1:100 that allow identification of all the distributions, typological and functional characteristics of the project, with the layout of the furnishings and their distribution in the spaces, with particular attention to the study of natural lighting, supplemented, if necessary, by details on different scales. In view of the characteristics envisaged for the internal layout, characterised by a high degree of flexibility and adaptability, by taking part in the Competition, participants acknowledge that any redistribution of the furnishings inside the library after its opening to the public does not constitute any distortion, mutilation or other modification of the work within the meaning of Art. 20 of Law no. 633 of 22 April 1941;
- any construction details;
- views and overall renderings set in context;
- functional/distribution schemes and diagrams showing accesses, paths and relationships between functions;
- schemes and diagrams of how the works will be carried out with reference to the realisation of the project in different time phases and areas (Area 1 and Area 2).

The graphical drawings must be contained in 5 UNI A0 format boards in portrait mode in a PDF file.

3. Summary calculation of costs

The cost calculation must be contained in a maximum of 9 pages UNI A4 plus the cover, in a PDF file and must be carried out on the basis of the price lists downloadable from the Competition website. In the event that an item to be used is not included in the aforementioned price lists, the participant shall be responsible for conducting a market survey and communicating, in the project documentation submitted, the methods used to define the new price used for the purposes of calculating costs. The Competition Jury reserves the right to ask participants for clarifications regarding the way in which these prices were generated; the request will be made through the use of the Platform, in order to guarantee in any case anonymity regarding the origin of the proposal.

The amount of the works will have to be contained within the financial limits of the intervention reported in chapter 5 of the P.D.D., equal to **€ 78,000,000.00** (excluding VAT), divided as follows:

- **€ 69,600,000.00** (excluding VAT) for the construction of the Nuova B.E.I.C. (Sub-Area 1A);
- **€ 8,400,000.00** (excluding VAT) for the construction of the resurfacing of Via Cervignano (Area 2), as well as the possible connection between the Nuova B.E.I.C. and the new park (Sub-Area 1B).

Files must be printable and must not exceed **10 MB** each.

The alphanumeric code (registration code) that the system assigns to each participant at the time of registration must not be written on the documents, under penalty of exclusion.

Documents which do not comply with the aforementioned specifications, or which contain recognisable elements (such as titles, logos, slogans, etc.) which could lead to the authorship of the design proposal will be excluded from the Competition.

Files must be, under penalty of exclusion, anonymous in both content and properties, as specified on the website.

Submissions other than those indicated in the Competition Notice and provided for by the Platform are not permitted.

11. TERMS AND CONDITIONS OF PARTICIPATION IN THE COMPETITION - SUBMISSION OF DOCUMENTS⁴

Participation in the Competition will be possible through the website www.nuovabeic.concorrimi.it where the individual participant or group leader must register using a certified email address or, in the case of participants residing in another country, an e-mail address based on technology meeting equivalent formalities and requirements.

In particular, the following documents must be completed and uploaded, under penalty of exclusion:

- 1. Application for participation;**
- 2. Authorisation from the Institution of belonging;**
- 3. Identity document;**
- 4. Substitute declaration on the absence of reasons for exclusion and compliance with the participation restrictions contained in the European Single Procurement Document - ESPD (completed for the following parts: Part II Sect. A and B; Part III Sect. A, B, C, D; Part IV Sect. A; Part VI);**
- 5. Payment receipt for ANAC contribution.**

Documents 1) and 4) must be completed and digitally signed and uploaded together with the required files, containing a non-authenticated photocopy of a signatory's identity document and a photocopy of the authorisation to participate only if a participant is an employee of a public administrations pursuant to Art. 53 of Legislative Decree no. 165/2001, as amended.

In the case of participants taking part in the form of a temporary consortium, each member must submit its own ESPD.

Participation in any form, other than those described in the Competition Notice and specified on the website, is not permitted, under penalty of exclusion. By registering on the website participants will have access to all the information necessary for submitting the administrative documentation and technical documents.

At the end of the **on-line procedure**⁵ documents must be sent, under penalty of exclusion, no later than **22.06.2022** at **1:00 p.m.** At the end of the procedure, the participant will receive an email at the certified email address used for registration with the date and time

⁴ It should be noted that the indications regarding the way in which proposals should be formulated by competitors derive from technical reasons related to the functioning of the system and its stability in terms of operation during the procedure.

⁵ The expression "conclusion of the on-line procedure" means the final operational step of the procedure of uploading the documents into the system. The telematic system, as confirmation of the correct completion of the procedure, as per the instructions on the Competition website, will send an email to the email address used at the time of registration by the participant with the date and time of mission of the documents.

of transmission of the documents.

The website will not accept the finalisation of the procedure after the deadline indicated.

12. COMPETITION SCHEDULE

The main deadlines of the Competition procedure are as follows:

- **20.04.2022 at 1:00:00 p.m.**
Deadline for receiving requests for clarification;
- **04.05.2022 at 5:00:00 p.m.**
Deadline for publishing answers to requests for clarification received by **20.04.2022**;
- **22.06.2022 at 1:00:00 p.m.**
Deadline for receiving project proposals.

13. JURY - PRELIMINARY EXAMINATION

The Jury will be appointed by act of the Organising Body and will be constituted after the deadline for receiving project proposals.

The names of the Jury members shall be published at the same time by uploading them onto the Platform website, also in order to ensure that participants are able to inform the Sole Manager of the Procedure referred to in Art. 22 of this Competition Notice, promptly and confidentially through the use of the Platform, of any potential conflict of interest with the Jury members.

The following may not be part of the Jury:

1. participants, their spouses or cohabitants and their relatives up to and including the fourth degree;
2. employers and employees of the participants, as well as those who have an employment or other known relationship with them. "Known relationship" means a situation of sharing, even in the same working environment, which has given rise to a mutual joint-penetration of respective professional activities from a technical and organisational point of view.

The Jury is composed of **5 (five)** regular members, 2 (two) of whom are experts with qualifications equivalent to the required professional qualification (architects/engineers, representatives of the Order of Architects and Engineers) and 3 (three) representatives of the municipal Administration. In particular, the Jury is composed as follows:

- 2 members identified by the Municipality of Milan;
- 1 representative of the B.E.I.C. Foundation;
- 1 representative of the Order of Architects, Planners, Landscapers and Conservators of the Province of Milan;
- 1 representative of the Order of Engineers of the Province of Milan.

A further **2 (two)** members with a professional technical qualification in architecture and engineering shall also be appointed in the event that one or more of the regular members need to be replaced.

Pursuant to Decree-Law no. 32 of 18 April 2019, converted into Law no. 55 of 14 June 2019, as amended by Decree-Law no. 76 of 16 July 2020, converted into Law no. 120 of 11 September 2020, the operating term for the system of the Competition officials' register does not apply on an experimental basis until 30 June 2023, and therefore the transitional discipline ex Art. 216, subsection 12, apply. Therefore, the Jury shall continue to be appointed by the body of the

Contracting Authority in charge of choosing the subjects to whom the contract will be assigned, according to rules of competence and transparency.

Provisions on incompatibility and abstention referred to in Art. 77, subsection 6 of Legislative Decree 50/2016, as amended, shall apply to the Jury members. Upon acceptance of the assignment, Jury members shall declare, pursuant to Art. 47 of Presidential Decree no. 445 of 28 December 2000, the non-existence of causes of incompatibility and abstention from this Competition.

The Jury shall be assisted by a non-voting secretary chosen by the Organising Body. Jury sessions are valid if all its members are present.

Jury's decisions are taken by majority and are binding on the Organising Body.

Jury's works, which, as a rule, will work remotely using telematic procedures that safeguard the confidentiality of communication, shall be carried out in one or more confidential sessions; minutes of these shall be drawn up and signed by all the members and kept by the Sole Manager of the Procedure, whose name is indicated in Art. 22 below. Minutes of the sessions, which must be signed by all the members or substitutes, will contain the identification of the methodology⁶ followed and the process of works.

The final minutes of the Competition must contain the ranking list with reasons for all participants.

The Jury then establishes the merit list, identifying the winner, which may not be ex aequo, and the proposals in the list, with any differentiated distribution of participation acknowledgements.

The Jury may also identify further project proposals to be mentioned as noteworthy.

The Jury shall draw up a brief critical judgement of each winning or mentioned project. The Jury is entitled to draw up an overall judgement on the proposals received and examined.

Minutes referred to in this Article shall be immediately forwarded by the Jury's President to the Sole Manager of the Procedure at the end of the Competition procedure and, following the administrative decision to acknowledge the minutes, published on the website www.nuovabeic.concorrimi.it.

The evaluation of the projects by the Jury is preceded by a preliminary examination of the documents produced by the participants, carried

⁶ The identification of the methodology will not lead to any additions to the evaluation criteria set out in the Competition Notice, which will remain unmodifiable or amendable by the Jury.

out without any evaluation of merit by the Coordinator as per Art. 22 of this Competition and by the Secretariat. This examination is exclusively aimed at verifying the number and format of the documents requested in the Competition Notice. A report on the result of the preliminary examination is drawn up, signed by the Sole Manager of the Procedure and sent to the Jury, which takes decisions on eligibility.

The Jury reserves the right to ask for clarification on the documentation submitted; the request will be made through the use of the Platform, in order to guarantee the anonymity regarding the origin of the project proposal.

14. PUBLIC SESSION

The publication of the alphanumeric codes attributed by the telematic system to the various proposals submitted will be made public after the deadline for submitting the proposals, on the website www.nuovabeic.concorrimi.it.

The date, time and place of the public session, which may also take place via video conference platforms, for the reading of the ranking list and the announcement of the winner at the end of the Jury's work, will be published on the Competition website.

15. JURY'S WORK

The Jury's work is carried out in confidential sessions. The Jury takes into account the submitted project proposals, takes decisions on the eligibility of participants, defines the methodology of works and evaluates the admitted proposals on the basis of the following evaluation criteria:

1. Quality, recognisability and identity of the project from a compositional and architectural point of view, also in relation to the insertion of the work in the urban and social context, and to the synergies with the green system, public spaces and surrounding functions (max. 35 points).
2. Functional organisation, flexibility and usability of spaces, both internal and external, aimed at ensuring the use of the building by any user and worker, according to the principles of universal accessibility (max. 20 points).
3. Quality of the design proposal in relation to the use of materials and construction technologies considering the time required to complete the project in different phases, as well as durability, environmental sustainability and maintenance. In particular, the compatibility of the structures with the robotized management

system of the library heritage and with the presence of the Passante Ferroviario will be assessed, taking into account the vibration and noise impact generated by the infrastructure (max. 25 points).

4. Design quality of the furnishings and their ability to characterise the rooms, as well as their distribution in the spaces (max. 10 points).
5. Quality and accuracy of the cost calculation, consistent with the project and with the maximum amount of the works foreseen in the Competition Notice (max. 10 points).

The total score is determined by adding the scores assigned to each individual criterion obtained by applying the average of the coefficients indicated in the table below, assigned at the discretion of the individual Jury members, to the maximum score assignable for each of them. The possibility of assigning intermediate coefficients is granted in case of intermediate judgements.

VERDICT	EXAMPLES OF VALUES	JUDGING CRITERIA FOR THE PROPOSAL
excellent	1.0	highly positive aspects or excellent compliance with expectations
good	0.7	evident positive aspects, but less than excellent solutions
fair	0.5	appreciable positive aspects of some merit
sufficient	0.2	hardly appreciable or barely sufficient
insufficient	0.0	no proposal or irrelevant proposal

16. ANNOUNCEMENT OF THE WINNER

In a public session, the Organising Body shall proclaim the winner of the Competition and read out the ranking list of the first **5 (five) classified participants**, associating the names of the corresponding participants to the alphanumeric codes, subject to the necessary checks on the administrative documentation and incompatibilities. For this purpose, once the projects have been matched with the names of the individual participants in the Competition, the Jury members shall confirm the declarations of incompatibility made at the time of their appointment; in the event of an ascertained conflict of interest, the project ranked first shall be excluded from the procedure, with subsequent scrolling of the ranking list.

After the public session to announce the winner, the Platform will send the ranking list to the participants.

The date and time of the public session will be published on the Competition website.

17. AMOUNT TO THE WINNER AND PARTICIPATION ACKNOWLEDGEMENTS - OWNERSHIP OF DOCUMENTS

The winner of the Competition will receive an amount of € 390,599.70 (three hundred and ninety-nine thousand five hundred and ninety-nine/70, including social security contributions of € 15,023.07 if due) plus VAT of € 85,931.93 if due, for a total of **€ 476,531.63**.

With such payment, as established by Art. 152, subsection 5 of Legislative Decree 50/2016 as amended, the ownership of the winning project proposal is acquired by the Organising Body.

Within 60 (sixty) days of the announcement (the deadline may be extended by the Sole Manager of the Procedure, following a formal request by the winner), the winner of the Competition must complete the development of the Competition documents, reaching the level of a technical and economic feasibility project. In this phase, the winner of the Competition, in agreement with the Sole Manager of the Procedure of the work, undertakes to carry out all the investigations and verifications necessary to finalise the feasibility project and also to acquire the opinions, authorisations and clearances necessary for its approval. The above commitment is included and compensated in the prize awarded to the winner.

The second-placed participant will be paid, as a participation acknowledgement, a sum of € 44,599.61 (forty-four thousand five hundred and ninety-nine/61, including social security charges of € 1,715.37 if due) plus VAT of € 9,811.91 if due, for a total of **€ 54,411.52**. The third-placed participant will be paid, as a participation acknowledgement, a sum of € 36,490.58 (thirty-six thousand four hundred and ninety-eight, including social security charges of € 1,403.48 if due) plus VAT of € 8,027.93 if due, for a total of **€ 44,518.51**. Each of the next 2 (two) participants will be paid, as a participation acknowledgement, a sum of € 27,030.06 (twenty-seven thousand three hundred and thirty-six, including social security charges of € 1,039.62 if due) plus VAT of € 5,946.61 if due, for a total of **€ 32,976.67**.

The amount for the winner will be paid after the announcement of the winner, for a share of 50%, and after the completion of the technical and economic feasibility project documentation, according to the indications given by the Organising Body, for the remaining 50%.

The payment of the participation acknowledgements, as determined above, shall take place within 90 (ninety) days from the date of enforceability of the administrative measure, acknowledging the Jury's work.

In the case of groups, the amount to be paid to the winner and the participation acknowledgements will be paid exclusively to the subject indicated as the group leader in the application form.

Upon request, authors of the aforementioned projects or those worthy of mention, subject to the positive outcome of the verification of participation requirements, will be issued with a **Certificate of Good Execution of the Service**, which may be used in their curriculum vitae. Therefore, competitors in the ranking list or those considered worthy of mention may associate their performance to a technical and economic feasibility project as identified in the aforementioned Ministerial Decree of 17 June 2016.

The intellectual property and copyrights of the submitted projects belong to the participating authors according to the laws on copyrights and intellectual property rights.

For projects, images and all the material made available to the Organising Body and requested for participation, the competitor assumes all responsibility resulting from the violation of patent rights, copyright, intellectual property rights and, in general, the others' rights.

18. PUBLICATION OF COMPETITION RESULTS

Without prejudice to the provisions of the existing laws on the matter, the Competition results will be published on the website of the Organising Body and on the Competition website www.nuovabeic.concorrimi.it, within 10 (ten) days from the date of approval by the Jury and will be communicated to the local professional Orders.

19. PRIVACY

The personal data provided with the application to the Competition shall be processed by the Organising Body for the sole purpose of allowing the identification of the finalists of the Competition itself, after the analysis and evaluation of the projects. The processing is based on the legal basis of execution of pre-contractual measures adopted on the data subjects' request and of the fulfilment of legal obligations (in particular the Legislative Decree 50/2016, as amended).

Data will be kept for 10 years after the conclusion of the procedure and any appeals.

Data may be communicated to other subjects only for purposes strictly related to the Competition, the management of the information systems and the valorisation of the project proposals referred to in the following paragraph.

Pursuant to Legislative Decree no. 196 of 30 June 2003, as amended, and to EU Regulation 2016/679, by accepting this Competition Notice, participants give their express consent to their personal data being processed for the purposes of the Design Competition, in accordance with the provisions in force.

Personal data may be transferred to countries outside the EU or EEA. In these cases, the Organising Body will preferably use suppliers in the EEA territory; otherwise, it will verify the adequacy of the supplier in accordance with the applicable legislation, the European Commission and the Italian Data Protection Authority.

Data subjects have certain rights established by the legislation.

In particular:

- to obtain, unless prevented by laws or regulations, access to their personal data, their correction or deletion and restriction or blocking of their processing. They may also request their portability;
- to send a complaint to the Organising Body, 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.

Please note that some data cannot be deleted, and some processing cannot be blocked as by law the Organising Body must keep track of the Competition Notices and their results.

To exercise these rights, please use the Organising Body reference channels indicated above. The Data Controller **Arch. Simona Collarini** can be contacted at the certified email address **sviluppoterritorio@pec.comune.milano.it** and at the address **Via Sile 8, 20139 Milan**. The Data Protection Officer (DPO) of the Municipality of Milan can be reached at the following email address: **dpo@Comune.Milano.it**.

20. EXHIBITION AND PUBLICATION OF PROJECT PROPOSALS

Upon payment of the amount, the Organising Body assumes ownership of the winning project proposal. In any case, copyright and intellectual property rights of the project proposals remain with the respective authors.

The Organising Body undertakes to present the initiative to the national press and to promote the Competition results through the actions it deems most appropriate, mentioning the names of the individual authors and without any additional payment for them.

Participants have the right to publish their works without restriction as long as they have completed the Competition procedure.

By taking part in the Competition, participants authorize the exhibition and possible publication of the submitted documents, including on the website www.nuovabeic.concorrimi.it, without any obligation in this regard.

21. ASSIGNMENT OF THE DEVELOPMENT OF FURTHER PROJECT LEVELS

The Organising Body reserves the right to decide whether to start the subsequent design phases relating to the winning project proposal.

In this case, on the basis of the value of the works as defined in the P.D.D., the winner of the Competition will be given, with a procedure negotiated without Notice and with the application of a 28% reduction, considering in this way, that the negotiation set out in Art. 152, subsection 5, second sentence, to be completed, the assignment for:

1. the drafting of the definitive and executive design of the new works in Areas 1 and 2, of the furnishings for the Nuova B.E.I.C. and of any additional surface greening of the areas outside the new works, for a maximum amount quantified at **€ 4,669,274.64** (net of VAT and all other legal charges);
2. the awarding of the Safety Coordination during the design phase for the new works in Areas 1 and 2, for the furnishings for the Nuova B.E.I.C. and for any additional surface greening of the areas

- outside the new works, for a maximum amount quantified at € **514,063.17** (net of VAT and any other charges required by law);
3. the Supervision of the Works of the new works in Areas 1 and 2 (including the positions of Operational Managers and Site Inspector), for a maximum amount quantified in € **2,447,826.72** (net of VAT and any other legal charges);
 4. the Safety Coordination during the execution phase of the new works in Areas 1 and 2, for a maximum amount of € **990,836.11** (net of VAT and any other legal charges).

The analytical description of the fee and the services required is set out in the annex "Calculation of fees pursuant to the Ministerial Decree of 17 June 2016" which sets out the analytical calculation of the fees pursuant to the aforementioned Decree.

Without prejudice to the maximum amount referred to above (Art. 1), the Organising Body will adjust the professional fee on the basis of the amount resulting from the completion of the technical and economic feasibility project, as referred to in Art. 17 of this Notice.

For the assignment of the aforementioned services, the successful tenderer shall enter into an agreement with the Organising Body for specifications, the general terms and conditions of which are set out in the annex to this Notice.

In order to promote equal opportunities and inclusion for young workers, the contractor undertakes to pay a minimum percentage (not less than 0.5%, to be further specified during the negotiated procedure) of the assignment received during the awarding of the subsequent design levels in favour of graduate professional, qualified to practice the profession for less than 5 (five) years prior to the date of publication of this Notice, referred to in Art. 3 above.

For the purposes of the assignment, the winner must possess the following requisites provided for in Art. 83 of Legislative Decree 50/2016, as amended:

- ECONOMIC-FINANCIAL REQUIREMENTS, pursuant to Art. 83, subsection 1, letter b), of Legislative Decree 50/2016, as amended: the winner of the Competition shall demonstrate an adequate level of insurance coverage against professional risks, in line with the provisions of Art. 83, subsection 4, letter c);
- TECHNICAL AND PROFESSIONAL CAPACITY REQUIREMENTS pursuant to Art. 83, subsection 1, letter c) of Legislative Decree 50/2016, as amended.

The winner of the Competition, with the attached documentation, must demonstrate:

- the **completion**, in the last ten years, of services relating to

Architecture and Engineering, as per Art. 3, letter vvv), of the Code, relating to works belonging to each of the "ID-Works" of the works to which the services to be entrusted refer, identified according to the Ministerial Decree of 17 June 2016, for an overall amount for each "ID-Works" **equal to 1 time** the estimated amount of the works to which the service refers, calculated with regard to each of the "ID-Works";

- the **performance**, in the last ten years, of two services relating to Architecture and Engineering, as referred to in Art. 3, letter vvv), of the Code, relating to works belonging to each of the "ID-Works" of the works to which the services to be entrusted refer, identified according to the Ministerial Decree of 17 June 2016, for a total amount **not less than 0.40 times** the estimated amount of the works to which the service refers, calculated with regard to each of the "Works" .

In particular:

- for the BUILDING category, for the purposes of qualification in this category, activities carried out for works similar to those covered by the services to be entrusted are considered suitable to prove the requirements when the degree of complexity is at least equal to that of the services to be entrusted;
- for the STRUCTURES ID S.03 category, for the purpose of qualification, the activities carried out for works similar to those covered by the services to be entrusted are considered suitable to prove the requirements when related to the following ID: S.03;
- for the category SYSTEMS ID IA.01, for the purposes of qualification, the activities carried out for works similar to those covered by the services to be entrusted are to be considered suitable for proving the requirements when they relate to the following ID: IA.01;
- for the category SYSTEMS ID IA.02, for the purposes of qualification, the activities carried out for works similar to those covered by the services to be entrusted are to be considered suitable to prove the requirements when they relate to the following ID: IA.02;
- for the category SYSTEMS ID IA.03, for the purposes of qualification, the activities carried out for works similar to those covered by the services to be entrusted are to be considered suitable to prove the requirements when they relate to the following ID: IA.03;
- for the category SYSTEMS ID IA.04, for the purposes of qualification, the activities carried out for works similar to those covered by the services to be entrusted are to be considered suitable to prove the requirements when they relate to the following ID: IA.04;
- for the category INFRASTRUCTURES FOR MOBILITY ID V.01, for the purposes of qualification, the activities carried out for works similar to those covered by the services to be entrusted are to be considered suitable for proving the requirements when they relate to the following ID: V.01.

For all activities carried out in non-Italian contexts or for private assignments, the activities will be assessed according to the criterion of analogy.

Pursuant to Art. 8 of the Ministerial Decree of 17 June 2016, with regard to Structures and Installations, higher degrees of complexity also qualify for works of lower complexity within the same category of works.

The **working group** should consist of the following minimum units:

- **Engineer or architect** for services relating to fee category E.13, registered in the appropriate professional register. Participants not established in Italy but in another Member State or in one of the countries referred to in Art. 83, subsection 3 of Legislative Decree 50/2016, as amended, must be enrolled in the appropriate professional register provided for by their national legislation or a sworn statement or in accordance with the procedures in force in the State in which they are established.
- **Engineer or architect** for services relating to fee category S.03, registered in the appropriate professional register. Participants not established in Italy but in another Member State or in one of the countries referred to in Art. 83, subsection 3 of Legislative Decree 50/2016, as amended, must be enrolled in the appropriate professional register provided for by their national legislation or provide a sworn statement or declaration in accordance with the procedures in force in the State in which they are established.
- **Engineer or architect** for services relating to fee categories IA.01 and IA.02, registered in the appropriate professional register. Participants not established in Italy but in another Member State or in one of the countries referred to in Art. 83, subsection 3 of Legislative Decree 50/2016, as amended, must be enrolled in the appropriate professional register provided for by their national legislation or provide a sworn statement or declaration in accordance with the procedures in force in the State in which they are established.
- **Engineer or architect** for services relating to fee categories IA.03 and IA.04, registered in the appropriate professional register. Participants not established in Italy but in another Member State or in one of the countries referred to in Art. 83, subsection 3 of Legislative Decree 50/2016, as amended, must be enrolled in the appropriate professional register provided for by their national legislation or provide a sworn statement or declaration in accordance with the procedures in force in the State in which they are established.
- **Engineer or architect** for services relating to fee category V.01, registered in the appropriate professional register. Participants not established in Italy but in another Member State or in one of the countries referred to in Art. 83, subsection 3 of Legislative

Decree 50/2016, as amended, must be enrolled in the appropriate professional register provided for by their national legislation or provide a sworn statement or declaration in accordance with the procedures in force in the State in which they are established.

- **Professional** who performs the task of safety coordinator during the design and execution phases and who meets the requirements of Art. 98 of Legislative Decree 81/2008.
- **Architect or Professional** for services relating to fee categories E.18 and E.19, registered in the appropriate professional register. Participants not established in Italy but in another Member State or in one of the countries referred to in Art. 83, subsection 3 of Legislative Decree 50/2016, as amended, must present enrolment in the appropriate professional register provided for by their national legislation or a sworn declaration or in accordance with the procedures in force in the State in which they are established.
- **Geologist** registered in the appropriate professional register. Participants not established in Italy but in another Member State or in one of the countries referred to in Art. 83, subsection 3 of Legislative Decree 50/2016 as amended, must present enrolment in the appropriate professional register provided for by their national legislation or a sworn declaration or in accordance with the procedures in force in the State in which they are established.

Please note that professionals possessing the minimum skills and requirements may fill the same professional positions.

The economic-financial requirements referred to in Art. 83, subsection 1, letter b), of Legislative Decree 50/2016, as amended, and the requirements relating to technical and professional capacity referred to in Art. 83, subsection 1, letter c), must be demonstrated by the winner of the Competition in the assignment phase of the subsequent levels of design.

The possession of the requirements of professional suitability, economic and financial capacity, technical and professional capacity of the winner, will be verified only in the case of assignment of services, with the procedure provided for in Art. 81, subsection 1 of Legislative Decree 50/2016, as amended.

The special requirements referred to in the previous points must be possessed by the group as a whole. The group leader, also through the procedure of availment, must demonstrate the possession of a greater quota than the other members, who cannot be required to possess minimum percentages of the same requirements.

The winner of the Competition, in order to demonstrate the requirements for the assignment of the services referred to in the previous point, in addition to the possibility of resorting to availment pursuant to Art. 89 of Legislative Decree 50/2016, as amended, may

constitute, pursuant to Art. 152, subsection 5 of Legislative Decree 50/2016, as amended, a temporary consortium between the subjects referred to in Art. 46, subsection 1 of Legislative Decree 50/2016, as amended, or modify the group already proposed for participation in the Competition with additional subjects, provided that in both cases such subjects have not already participated in the Competition, presenting at the time of participation in the Competition an express commitment to that effect. In the latter case, the presence of all the professionals already participating in the Competition must be guaranteed. Any non-compliance with this requirement shall be reported to the respective professional bodies for the application of any sanctions laid down in the code of ethics.

In the case of a temporary consortium, it must be formally constituted before the assignment of the development of further project levels.

The winner of the Competition shall demonstrate possession of the economic-financial and technical-professional requisites within and no later than 60 (sixty) days, from the date of communication by the Organising Body of its intention to proceed with the assignment of the development of the further project levels.

In the event of failure to prove that the aforementioned requirements are met, or if the deadline for doing so is exceeded, the Organising Body reserves the right to entrust the development of the subsequent design levels and the supervision of works to another subject, to be identified through the procedure permitted by law.

In this case, the winner of the Competition may in any case be assigned with the role of supervisor of the definitive and executive design and the artistic direction of works for the new work.

The intellectual property and copyright of the project shall in any case belong to the winner of the Competition.

The Organising Body reserves the right to proceed with the assignment of the subsequent design levels for different time phases and areas (Area 1 and Area 2), with reference to the different functional uses of the areas subject to the Competition, as well as to the different financing forms, timing and methods. Area 1 is considered a priority in relation to funding constraints.

This is without prejudice to the possibility for the Organising Body to avail itself of the option set forth in Art. 23, subsection 4 of Legislative Decree 50/2016 as amended, or not to proceed with the assignment of the design levels subsequent to the technical-economic feasibility level and the supervision of works; in these events the winner shall in any case be paid the amount set forth in this Competition Notice, by which the Municipality of Milan shall in any case assume ownership of the winning project proposal.

22. PUBLICITY AND DIFFUSION OF THE COMPETITION NOTICE – SOLE MANAGER OF THE PROCEDURE – COORDINATOR OF THE COMPETITION

In addition to the forms provided for by law, the Competition Notice is published on the website of the Organising Body and on the website www.nuovabeic.concorrimi.it.

Sole Manager of the Procedure is: **Arch. Simona Collarini**

Coordinator of the Competition is: **Arch. Paola Velluto**

23. LANGUAGE

The official language is Italian. This Competition Notice and the P.D.D. will also be provided in English. Requests for clarification and Competition documents may also be drawn up in English. The metric system is exclusively used for the Competition documentation and project proposals.

24. FINAL PROVISIONS - JURISDICTIONAL PROTECTION

Access to the documents of the entire procedure is permitted after the administrative decision to acknowledge the minutes of the Jury's work. For all matters not governed by the Competition Notice, the legislation in force shall apply.

Art. 211 of Legislative Decree 50/2016, as amended, as well as Arts. 119 and 120 of Legislative Decree 104/2010 (Administrative Process Code), as amended, shall apply.

The Competition Notice and the acts connected with and consequent upon the Competition procedure may be challenged only by means of an appeal to the regional administrative tribunal.

The **Regional Administrative Tribunal for the Lombardy Region, Milan office**, is competent for disputes.

REFERENCE LEGISLATION

Presidential Decree no. 328 of 5 June 2001 (Arts. 15 and 45), as amended;

Legislative Decree no. 196 of 30 June 2003, as amended;

Regulation (EU) 2016/679 of the European Parliament and of the Council 27 April 2016;

Legislative Decree no. 104 of 2 July 2010, as amended;

Legislative Decree no. 50 of 8 April 2016, as amended;

ANAC Resolution no. 830 of 21 December 2021;

Decree Law no. 34 of 19 May 2020, converted into Law no. 77 of 17 July 2020;

Ministerial Decree of 17 June 2016, as amended;

Ministerial Decree no. 263 of 2 December 2016, as amended;

Legislative Decree no. 56 of 19 April 2017, as amended;

Decree Law no. 32 of 18 April 2019, converted into Law no. 55 of 14 June 2019.

