



**SEA SUPPLIER REGISTER  
ENROLMENT REGULATION (SQM)  
rev. 4 May 2022**

**1. BACKGROUND**

- 1.1. Società per Azioni "Esercizi Aeroportuali – S.E.A." (hereinafter "SEA") with registered office in Segrate (MI), Milan Linate Airport, n.c., tax code and VAT no. 00826040156, registered with the Milan Companies' Register under no. 93894 (Court of Milan) is the owner of the IT Platform "SEA Suppliers Portal" accessible at [www.portalefornitorisea.seamilano.eu/irj/portal](http://www.portalefornitorisea.seamilano.eu/irj/portal).
- 1.2. SEA has set up a Suppliers' Register, managed through the aforementioned Platform, within which to select Economic Operators to be invited to negotiation events aimed at the awarding of works, services and supply contracts, falling within the scope of application of the regulations on public contracts, for amounts below the EU thresholds, as well as events of a private nature. However, this is without prejudice to SEA's right to identify the Economic Operators to be invited to tenders below the EU thresholds from among those qualified within the Qualification Systems it has set up.
- 1.3. Only Economic Operators carrying out business activities may enrol in the SEA Supplier Register. Freelancers are therefore excluded.
- 1.4. Economic Operators (suppliers of goods, providers of services and executors of works) are qualified in the SEA Suppliers' Register if, following a specific application, they meet the requirements of general order, sustainability, economic and financial capacity, as well as technical and professional capacity, and are therefore considered suitable to be awarded contracts by SEA.
- 1.5. The Register is divided into product categories and qualification in these categories is valid for three years. The burden of updating the data in a timely manner within this period remains on the economic operators.
- 1.6. Economic Operators that have been awarded contracts as a result of public tenders, or by means of advertising notices or calls for expressions of interest, are invited to register in the relevant product categories.

**2. METHODS OF REGISTRATION IN THE SUPPLIERS LIST**

- 2.1. Interested Economic Operators, meeting the general requirements provided for by the regulations on public contracts, may apply for registration in the Suppliers' Register in the product category for which they possess adequate financial and technical-professional capacities. In particular, the economic operator must certify, in relation to each product category for which it intends to apply, the percentage incidence of that category on its average turnover in the last financial year, as well as, if requested, adequate references, or specific sector requirements and skills.



- 2.2. Qualification for one or more categories of the Suppliers' Register in the form of a Temporary Consortium is not contemplated. This does not affect the possibility of competing in TC bidding if where permitted by the relevant *lex specialis*.
- 2.3. Foreign Economic Operators interested in enrolling in the Register must produce the required documentation in Italian or accompanied by a sworn translation.
- 2.4. Enrolment in the Suppliers' Register does not exempt Economic Operators from proving, upon invitation to a negotiation event, or as a result of the award of a contract, the continued fulfilment of the requirements of a general order and of economic and technical-professional capacity represented upon registration.

### 3. QUALIFICATION OF ECONOMIC OPERATORS

- 3.1. The qualification process of Economic Operators for the Register involves the evaluation by SEA of the data and documents submitted by the Applicant when enrolling.
- 3.2. The process is divided into the following statuses, which are visible in Portal:
  - **In Evaluation:** indicates that the process of verifying the data and documents entered by the economic operator is underway.
  - **Qualified:** indicates that the verification process, for the requested categories, has been successfully concluded, and the Economic Operator has been enrolled for the selected categories.
  - **Suspended:** indicates that the Economic Operator is in one of the conditions referred to in Article 5.1 below.
  - **Excluded:** indicates that the Economic Operator has forfeited its previously obtained qualified status for the reasons set out in Article 5.2 below.
  - **Not Qualified:** indicates that the application was rejected
- 3.3. Each Economic Operator will be notified of the final outcome of its application.

### 4. INVITATION OF ECONOMIC OPERATORS

- 4.1. SEA identifies, among those registered in the Register, the Economic Operators to be invited on the basis of criteria inspired by respect for competition and non-discrimination between potential competitors, transparency of conduct in all competition and negotiation phases and the efficiency and effectiveness of company action.

### 5. SUSPENSION / FORFEITURE OF SUPPLIER REGISTRATION

- 5.1. SEA reserves the right to suspend a supplier from the Supplier Register in the following cases:
  - 5.1.1. the Economic Operator does not fulfil, when requested by SEA, the duty to perform an update as per Article 1.4 of these Regulations.
  - 5.1.2. The Economic Operator does not sign the contract it has been awarded.
  - 5.1.3. The Economic Operator engages in behaviour that is contrary to the guiding principles set forth in the "Code of Conduct for SEA Suppliers", which can be found on SEA's institutional website.
  - 5.1.4. The Economic Operator suffers a serious deterioration in its overall reliability in relation to the sector average of the economic indices based on

data provided by official databases and/or companies specialising in



business information.

- 5.1.5. According to SEA's reasoned assessment, the relationship of trust with the Economic Operator within the scope of the existing business relations has been lost.

In the case referred to in point 5.1.1 above, SEA reserves the right to exclude the supplier from the Register if the Economic Operator fails, within 60 days of SEA's request, to update the data, or to adequately justify its failure to respond to the invitations.

In the case of point 5.1.2., the suspension shall last for the period deemed useful by SEA and, if appropriate, may lead to the subsequent exclusion of the Economic Operator.

In the cases referred to in paragraph 5.1.3. above, the exclusion of the Economic Operator shall take place if the conflicting conduct does not cease as soon as possible, depending on its nature, and may lead to the subsequent exclusion of the Economic Operator.

In the cases referred to in section 5.1.4 above SEA reserves the right to exclude the supplier if the serious negative situation continues.

In the cases referred to in section 5.1.5 above SEA reserves the right to exclude the supplier if the divergence that has arisen is completely evident and irremediable.

- 5.2. SEA shall exclude Economic Operators previously qualified in the Register in the following cases:

- 5.2.1 Failure to continue to meet one of the general order requirements provided for in the legislation on public contracts (in particular in the case of serious breach of contract) as well as definitively established commission of the offences provided for in Legislative Decree 231/01 in respect of SEA;
- 5.2.2 Cessation of activity;
- 5.2.3 Removal request submitted by the Operator concerned;
- 5.2.4 Negative rating by SEA (negative final ratings following contract performance);
- 5.2.5 Cases governed by section 5.1 above.

- 5.3 The Economic Operator concerned shall be notified of the exclusion or suspension measure.

- 5.4 In such cases, the excluded Economic Operator may only be readmitted if the application process is successfully repeated.

## 6. DIGITAL SIGNATURE

- 6.1 In connection with the digitalisation of tender documents, SEA invites Economic Operators to equip themselves with digital signatures. Possession by the Legal Representative of a valid digital signature certificate issued by a Certification Authority operating under a licence or authorisation issued by a Member State of the European Union, which complies with the provisions of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014, is required. Please note that the only digital signature formats accepted will be CADES and PADES. Therefore, suppliers shall sign declarations and documents transmitted using digital signatures.



## **7. VENDOR RATING**

- 7.1 A Vendor Rating system has been established for Economic Operators qualified in the Register. SEA may also assign a rating to operators qualified in categories other than the above.
- 7.2 This system is aimed at assessing the characteristics of the Economic Operator, in relation to the feedback provided in respect of the various qualification profiles investigated in the qualification questionnaire, as well as at assessing and monitoring the performance of the services rendered by the operators and the reliability of the products supplied, together with the conduct of the Economic Operator in the performance of the contractual services.
- 7.3 The Economic Operator's evaluation is of a confidential nature and may be disclosed to the Operator at SEA's sole discretion.

Courtesy Translation

*Courtesy translation: in case of discrepancy between the Italian language original text and the English language translation, the Italian version shall prevail*