

MAGNIFICA FABBRICA

INTERNATIONAL DESIGN COMPETITION



MAGNIFICA FABBRICA

INTERNATIONAL DESIGN COMPETITION

Competition Notice

credits

Promoter

Mayor Giuseppe Sala

Councillor's Office for Culture

Councillor Filippo Del Corno until 12.10.2021

Councillor's Office for Culture

Councillor Tommaso Sacchi since 13.10.2021

Councillor's Office for Urban Planning, Green Areas and Agriculture

Councillor Pierfrancesco Maran until 12.10.2021

Councillor's Office for Urban Regeneration

Councillor Giancarlo Tancredi since 13.10.2021

with

Superintendent Dominique Meyer

Fondazione Teatro alla Scala

Drafting of the Competition Notice

Arch. Simona Collarini - Director of Urban Planning Department

Arch. Paola Velluto, Arch. Chiara Desiderio, Junior Arch. Myriam Alice Lunghini,

Dr. Giovanni Vitali

Urban Planning Department

with

Dr. Maria Lucia Grande - Director of Procurement Management Department

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

Work Group Coordination

Arch. Simona Collarini - Director of Urban Planning Department

Arch. Paola Velluto, Arch. Chiara Desiderio, Junior Arch. Myriam Alice Lunghini,

Dr. Giovanni Vitali

Urban Planning Department

Dr. Marco Edoardo Maria Minoja - Director of Culture Department

Eng. Massimiliano Papetti – Director of Technical Department

Work Group

Arch. Giancarlo Tancredi – Director of Thematic Planning and Land
Development Area

Arch. Matteo Colombo, Eng. Valentina Andrea Zorzi

Urban Planning Department - Thematic Planning and Land Development Area

Arch. Annamaria Maggiore – Director of Artistic Heritage Enhancement and Security Area

Dr. Isabella Menichini – Director of Entertainment Area

Dr. Francesca Calabretta

Culture Department

Law. Clara Collura, Arch. Davide Plebani

Technical Department

Arch. Danilo Molari

Procurement Management Department

Dr. Maria Di Freda - General Manager

Eng. Franco Malgrande - Technical Director

Eng. Marco Morelli - Property and Safety Director

Dr. Mariano Festa - Institutional Relations

Fondazione Teatro alla Scala

Arch. Demetrio Scopelliti - Director of Urban Planning and Public Space Design

Arch. Andrea De Matteis, Arch. Francesca Galimberti, Arch. Chiara Guidarelli,

Eng. Giacomo Longo

AMAT s.r.l.

with the contribution of

Eng. Stefano Fabrizio Riazola – Director of Mobility and Transport Department

Eng. Nicola Nicolliello, Eng. Marcello Oneta

Mobility and Transport Department

Arch. Paola Viganò - Director of Parks, Agriculture and Street Furniture Area

Arch. Alessandra Rossi, Arch. Cesare Salvetat, Arch. Maria Travascio

Districts and Municipalities Department - Parks, Agriculture and Street Furniture Area

Arch. Marino Bottini - Director of General Urban Planning Area

Arch. Maria Cristina Fumerio Arch. Fiorella La Sala, Dr. Marco Pialorsi,

Eng. Carmen Salvaggio

Urban Planning Department - General Urban Planning Area

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.magnificafabbrica.concorrimi.it

www.comune.milano.it

Identification Code of the Competition (CIG)

89190042F0

Publication of the Competition Notice

Gazzetta Ufficiale V Serie Speciale – Contratti Pubblici no. 122 dated 20.10.2021

Historic images from:

Civica Raccolta delle Stampe Achille Bertarelli, Castello Sforzesco, Milan

Archivio Roberto Zabban/Centro per la cultura d'impresa

Translations

Eurotrad s.n.c. - Urbino

Acknowledgements

Dr. Stefani Anghinelli (*AMAT s.r.l.*), Eng. Cristine Ballarin, Dr. Sara Boccia (*AMAT s.r.l.*), Dr. Franco Criti, Eng. Eleonora Frigerio (*AMAT s.r.l.*), Arch. Veronica Gaiani (*AMAT s.r.l.*), Eng. Antonio Liguigli (*AMAT s.r.l.*), Eng. Paolo Giuliano Missaglia, Eng. Manuela Ojan (*AMAT s.r.l.*), Dr. Alessandra Porro (*AMAT s.r.l.*), Eng. Roberto Porta (*AMAT s.r.l.*), Eng. Michele Stuppiello

contents

chapter 1	
DEFINITION OF THE COMPETITION	9
1. Subject of the Competition	9
2. Type of procedure	14
chapter 2	
PARTICIPATION IN THE COMPETITION	15
3. Subjects allowed to take part in the Competition: participation requirements	15
4. Causes of incompatibility and reasons for exclusion	16
5. Accepting the regulations	17
6. Procedure for remedying deficiencies	17
7. ANAC payment	18
8. Competition documents	18
9. Questions and request for clarification - site inspection	20
10. Phase one - documents required	20
11. Terms and conditions for participating in the Competition - submitting documents for phase one	21
12. Phase two - documents required	22
13. Terms and conditions for submitting documents for phase two	24
14. Competition schedule	24
chapter 3	
JURY'S WORK - COMPETITION RESULT	25
15. Jury - preliminary examination	25
16. Public session	26
17. Phase one Jury's work	27
18. Phase two Jury's work	28
19. Announcement of the winner	29
chapter 4	
FINAL OBLIGATIONS	31
20. Amount to winner and acknowledgement of participation - ownership of documents produced	31
21. Publication of Competition results	32
chapter 5	
FINAL PROVISIONS	33
22. Privacy	33
23. Exhibition and publication of project proposals	34
24. Assignment of the development of further project levels	34
25. Publicity and diffusion of the Competition Notice - Sole Manager of the Procedure - Coordinator of the Competition	40
26. Language	40
27. Final provisions - jurisdictional protection	40
REGULATORY FRAMEWORK	41

DEFINITION OF THE COMPETITION

1. SUBJECT OF THE COMPETITION

The **Municipality of Milan** (hereinafter referred to as the “Organising Body”) is promoting an International Design Competition, with open procedure, **for the creation of a new site for the Teatro alla Scala laboratories and warehouses and the expansion of Parco della Lambretta.**

The subject of the Competition is to acquire, after completion of the phase two, a design project with a level of detail equivalent to a **technical and economic feasibility project.**

The area that is the subject of the Competition is set out in the technical document 3.2 “Tavole con perimetrazione area di Concorso” and is separated into two perimeters of intervention:

PERIMETER 1, for which a design project of a level equivalent to a **technical and economic feasibility project (PFTE)** is required, is identified in red on the layout and consists of two **Areas**:

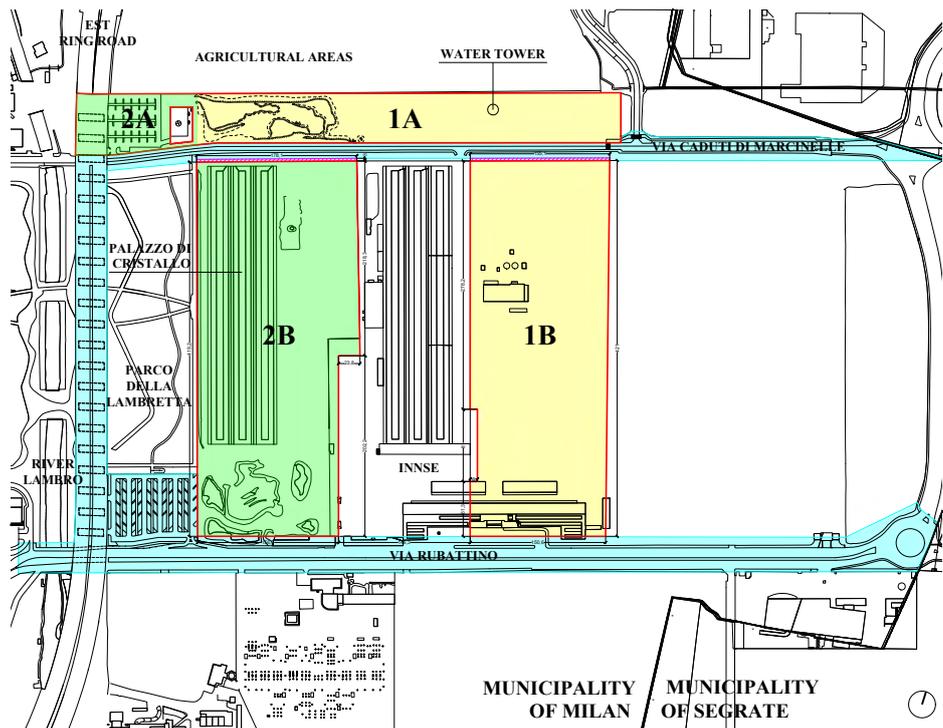
- **Area 1** (shown in yellow), inside which there are plans for the new site of the Teatro alla Scala laboratories and warehouses and related outdoor spaces;
- **Area 2** (shown in green), inside which there are plans to expand Parco della Lambretta.

In particular, competitors are asked to develop two scenarios:

- **Scenario I** (fig. 1)

fig. 1
Scenario I.

(see fig. 20 of the D.P.P.
and Annex 3.2. “Tavole
con perimetrazione area di
Concorso”).



In Scenario I, Area 1 is divided into two **sub-areas (1A and 1B)**, separated by Via Caduti di Marcinelle:

- **sub-area 1A**, of approx. 26,250 m², is located north of Via Caduti di Marcinelle. It is bordered to the west by a district heating substation, to the east by the north-south road linking Via Caduti di Marcinelle to Via Rombon and to the north by private agricultural areas. It is characterised by the presence of a Water Tower, the maintenance of which should be assessed without compromising the functionality of the planned activities;
- **sub-area 1B**, of approx. 63,660 m², located south of Via Caduti di Marcinelle, is bordered to the south by Via Rubattino and to the east and west by private areas (the area to the west is characterised by the presence of the INNSE factory, which will be flanked by a centre for research, training and technological and economic innovation; the area to the east will house production/logistics and tertiary/directional functions).

In this Scenario, the functionality and connection of the Teatro alla Scala laboratories and warehouses shall be guaranteed, as better specified in section 4.1.3 of the Preliminary Design Document (for reasons of brevity, hereinafter referred to as D.P.P.), annexed as an integral part of this Competition Notice.

Area 2 consists of two **sub-areas (2A and 2B)**, separated by Via Caduti di Marcinelle:

- **sub-area 2A**, of approx. 7,690 m², is located north of Via Caduti di Marcinelle and is bordered to the east by the district heating cabin and to the north by private agricultural areas. It includes the space under the viaduct of the east ring road, which is to be enhanced and the adjacent parking area, which is to be depaved to create a new green area;
- **sub-area 2B**, of approx. 70,880 m², characterised by the presence of the so-called “Palazzo di Cristallo”, is bordered to the north by Via Caduti di Marcinelle, to the south by Via Rubattino, to the east by the INNSE factory and to the west by Parco della Lambretta. The area is to become a park and competitors are requested to preserve and recover, even partially, the so-called “Palazzo di Cristallo”, as an integral part of the park, i.e. its vegetation, as better specified in section 4.4.3 of the D.P.P., and based on that stated in the declaration of cultural interest issued by the Ministry for Culture with Decree of 20.09.2021, annexed to the Competition documents.

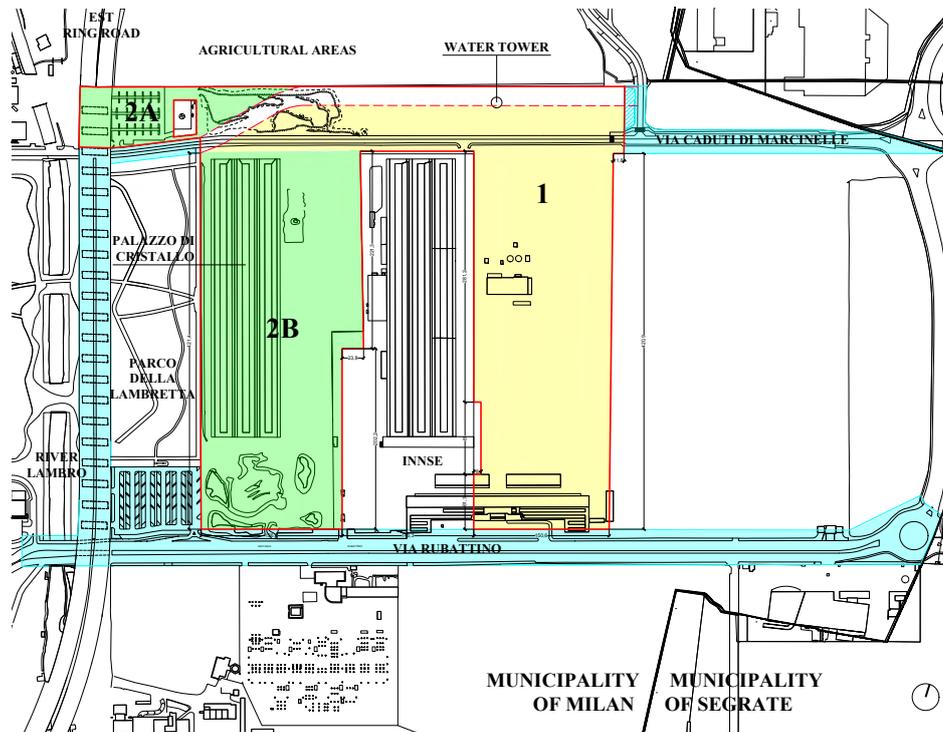
Competitors are also required to guarantee permeability between the park planned in sub-area 2B and the agricultural areas to the north of sub-area 1A, assessing the maintenance of an open space in sub-area 1A, where the design of the buildings is able to create an ecological connection and a landscape relationship with the surroundings, while guaranteeing the functionality of the Teatro alla Scala laboratories and warehouses.

It should be noted that the north border of the area where the INNSE factory is located, will be shifted by 3 m to guarantee easy access for vehicles to the eastern side of the shed. In Scenario I, competitors are asked to assess whether to include the areas useful for the realignment of the front along Via Caduti

di Marcinelle in the PFTE areas, by annexing them to the sub-areas 1B and 2B, or by annexing them to the areas included in the Guidelines, i.e. in the redevelopment of the road layout, as better specified in annex 3.2 “Tavole con perimetrazione area di Concorso”.

• **Scenario II** (fig. 2)

fig. 2
Scenario II
(see fig. 21 of the D.P.P.
and Annex 3.2. “Tavole
con perimetrazione area di
Concorso”).



In Scenario II, competitors are asked to merge sub-areas 1A and 1B, provided for Scenario I, into a single area (Area 1) of 85,470 m², moving to the north the layout of Via Caduti di Marcinelle, whose role as a local inter-zonal road should be maintained. The proposal for the new layout must guarantee the continuity of the existing cycling path and must not include the passage of heavy goods vehicles. In both scenarios, heavy vehicles will only have access to the new site for the Teatro alla Scala laboratories and warehouses from Via Rubattino. Accesses along Via Caduti di Marcinelle may also be reserved for light vehicles only.

In Scenario II, sub-area 2A will be approx. 11,470 m² and the sub-area 2B will be approx. 70,880 m². Also in this Scenario, competitors are required to guarantee permeability between the new park and the agricultural areas to the north to ensure an ecological connection and a landscape relationship with the surroundings.

In both scenarios, moreover, in the estimation of the works for the expansion of Parco della Lambretta an amount dedicated for the necessary connection with the existing park has been included.

PERIMETER 2 (shown in light blue in the layout): competitors are required to develop a project at **guideline** level for the urban space.

Specifically, along **Via Rubattino**, the following is required:

- the creation of a continuous and safe cycle-pedestrian path, linking the existing cycle paths in Via Milano and Via Piaggio in the Municipality of Segrate and Parco della Lambretta, including the passage under the viaduct and over the River Lambro, up to the intersection with Via Caduti in Missione di Pace. This path, which can be extended as far as Via Pitteri must be separate from the traffic flows of Via Rubattino by a tree-lined green area;
- the creation of a traffic-lighted flush intersection at the entrances to the INNSE factory and the new site of the Teatro alla Scala laboratories and warehouses, so as to:
 - encourage direct access to compartments;
 - contribute to moderate speed along the road;
 - make it possible, by means of driveway to the north of Via Rubattino, for vehicles arriving from the sectors on the southern side of Via Rubattino (e.g. CESI) and heading towards the city centre or the east ring road to “turn back”, thus avoiding the need to reach the roundabout on the border with the Municipality of Segrate to turn back;
 - improve communication between the two road fronts by means of protected pedestrian crossings in the immediate vicinity of LPT stops.

With regard to the **ground-level parking area along Via Rubattino**, near the viaduct of the east ring road, it should be maintained to guarantee a parking area sufficient to absorb any parking demand generated by the planned transformations, if it cannot be relocated elsewhere. Proposals are also requested for the redevelopment of the parking area, in view of the expansion of Parco della Lambretta, and for the implementation of green areas.

In addition to these areas, there are the **spaces under the viaduct of the east ring road**, which play a fundamental role in connecting the eastern and western parts of Parco della Lambretta and which are currently little used. Proposals are required to enhance these spaces, for example through lighting or new murals with pollutant-absorbing paints, and possibly to assess the creation of new water elements and/or the inclusion of new functions, in compliance with the current legislation. Competitors are invited to take into account that in the space below the first four spans starting from Via Rubattino, near the existing parking area, the construction of a skatepark is being evaluated in relation to the regulations in force.

In particular, for **Via Caduti di Marcinelle**, in case of its maintenance as foreseen in Scenario I, Perimeter 1, competitors are requested to assess the enhancement of the existing layout, guaranteeing the continuity of the cycle path and providing pavements, where absent, and pedestrian crossings, in order to improve communication between two road fronts.

The indications and any provisions for design, with detailed descriptions of contents and aims to be achieved, are available in the D.P.P. Specifically, it is pointed out that:

- as a result of the Verification of Cultural Interest (V.I.C.) referred to in the aforementioned Decree of 20.09.2021, the winning project will be submitted to the opinion of the competent Superintendency for Archaeology, Fine Arts and Landscape for the Metropolitan City of Milan, with whose indications it must therefore comply;
- for the purpose of feasibility, the winning project shall be subjected to the evaluation of hydraulic compatibility according to current legislation, to which it must adapt, as better specified in section 4.4.1 of the D.P.P.;
- regarding the previous functional use of the soil, the Organising Body will proceed with the necessary analysis and actions regarding the soil quality; the technical and economic feasibility project shall therefore be completely adapted to and harmonised with the results of same;
- competitors must propose suitable solutions to allow, during the subsequent project development phases, the provisions of Art. 10 of the Implementation Rules of the PGT Regulatory Plan, as better specified in section 4.3 of the D.P.P.; the winning project shall be subjected to checks regarding these regulatory provisions, with which it must comply.

The total maximum cost for the interventions to be completed with regard to Areas 1 and 2 is set at € 120,000,000.00 (VAT included), divided into the following amounts:

- **Area 1:** the maximum cost of intervention to be carried out (economic situation, including cost of works, costs of design, supervision of works, inspections, safety costs and amounts at the disposal of the Contracting Authority), is set at **€ 98,000,000.00** inclusive of VAT. The share of the amount for works is set at **€ 66,333,150.00** (excluding VAT), including external safety costs amounting to **€ 1,300,650.00** (excluding VAT), as detailed in the D.P.P., which shows the classification of the various categories of works planned, identified according to the codes “ID-Works” as set out in the Ministry of Justice Decree of 17 June 2016 on professional fees for Architecture and Engineering Services.
- **Area 2:** the maximum cost of intervention to be carried out (economic situation, including cost of works, costs of design, supervision of works, inspections, safety costs and amounts at the disposal of the Contracting Authority, with the exception of costs relating to analysis, design and execution of anything needed to reclaim soil), is set at **€ 22,000,000.00** inclusive of VAT. The share of the amount for works is set at **€ 12,344,800.00** (excluding VAT), including external safety costs amounting to **€ 474,800.00** (excluding VAT), as detailed in the D.P.P., which shows the classification of the various categories of works planned, identified according to the codes “ID-Works” as set out in the Ministry of Justice Decree of 17 June 2016 on professional fees for Architecture and Engineering Services.

2. TYPE OF PROCEDURE

The Competition is divided into two phases:

- phase one, in anonymous form, is aimed at selecting the **7 (seven)** best project proposals to be sent forward to phase two;
- phase two, also in anonymous form, is aimed at identifying the best project proposal from among the ones selected in phase one.

To guarantee anonymity and fair conditions for participation to all, the Competition and the relations between the Organising Body and participants will take place exclusively using electronic means, through the website www.magnificafabbrica.concorrimi.it.

The competitor will access the aforementioned website by registering and can download the material required to take part, ask questions, consult the specific “news” page and upload the documents of the project proposals for both phase one and phase two.

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

¹ To ensure anonymity and uniform conditions of participation, the Platform for all registrations assigns two unique alphanumerical codes:

- one at the sole disposal of the competitor (registration code)
- one at the sole disposal of the Sole Manager of the Procedure (platform code)

As a further guarantee of anonymity, the Sole Manager of the Procedure will carry out their activity using solely the unique “platform code”.

PARTICIPATION IN THE COMPETITION

3. SUBJECTS ALLOWED TO TAKE PART IN THE COMPETITION: PARTICIPATION REQUIREMENTS

The Competition is open to all subjects as set out in Art. 46, subsection 1, of Legislative Decree 50/2016 and subsequent amendments and additions in possession of the requirements as set out in the Ministry of Infrastructure and Transport Decree 263/2016 and subsequent amendments and additions.

The Competition is open to Architects and Engineer registered with their respective professional orders or in professional registers in the countries where they reside/work, certified to practise their profession on the date of publication of this Competition Notice who do not fall foul of reasons for exclusion as set out in Art. 80 of Legislative Decree 50/2016 and subsequent amendments and additions.

The participation of junior architects and junior engineers is permitted within the limits of that provided in Art. 15 and following (for the profession of architect) as well as in Art. 45 and following (for the profession of engineer) of Presidential Decree 328/2001 and subsequent amendments and additions.

Competitors can take part individually or jointly in groups. In the case of groups, it is necessary to appoint a group leader, the sole responsible and reference for the Organising Body throughout the whole procedure, including any assignment phases for the development of further project levels (definitive and executive).

The group will form a single entity for the purpose of the Competition and the ownership of the project proposal will be acknowledged, as with possessions and rights, to all members of the group².

² It is hereby specified that the expression “single entity”, in the event of participation as a temporary consortium, does not mean that any temporary consortia will be considered as a new, single and autonomous legal entity in regard to the subjects taking part in the consortium, for the purpose of the Competition.

It is agreed that the unitary nature of the consortium, for the purpose of the Competition, only regards paternity of the creative ideas and the project proposals that will be submitted.

With regard to the right of the subjects involved, to make use of external collaborators and consultants who will not therefore be competitors, it should be noted that:

- in accordance with Art. 31, subsection 8 of Legislative Decree 50/2016 and subsequent amendments and additions, it is forbidden for the subject awarded the project assignment to use subcontracting, except for those activities regarding geological, geotechnical and seismic surveys, probes, monitoring, measuring and stakings, the drafting of specialised, detailed technical documents, excluding geological reports, and the sole graphic drafting of the project technical documents;
- in accordance with Art. 105, subsection 3, letter a) of Legislative Decree 50/2016 and subsequent amendments and additions, the specific activities awarded to self-employed workers are not considered subcontracting. We therefore call attention to the aforementioned legislation to prevent use of the non-permitted forms of subcontracting.

The groups, even if not formally established, must include at least one professional with a University degree, qualified to carry out the profession for at least 5 (five) years prior to the date of publication of this Competition Notice, as the designer, pursuant to Ministry of Infrastructure and Transport Decree 263/2016 and subsequent amendments and additions. Competitors, individuals or groups, can make use of consultants and collaborators, even if not members of professional orders or registers.

The qualification and nature of consultancy or collaboration must be declared for each consultant or collaborator. Tasks and attributions of consultants and/or collaborators are defined within the participating group without this being relevant for relations between the competitor and the Organising Body.

Competitors, to be allowed to take part in the second phase of the Competition, are not required to meet with special requirements as set out in Art. 83 of Legislative Decree 50/2016 and subsequent amendments and additions, which shall be demonstrated exclusively by the winner after completion of the Competition procedure and before the negotiated process for the assignment of the further project levels and other services regarding architecture and engineering, including through the founding of a temporary consortium, according to that set out in Art. 152, subsection 5 of Legislative Decree 50/2016 and subsequent amendments and additions. As set out in Art 146, subsection 3 of Legislative Decree 50/2016 and subsequent amendments and additions, the “availment” procedure does not apply to this assignment.

4. CAUSES OF INCOMPATIBILITY AND REASONS FOR EXCLUSION

Reasons for the exclusion of a participants are set out in Art. 80 of Legislative Decree 50/2016 and subsequent amendments and additions. The following cannot take part in the Competition or they will be excluded:

1. those who have taken part in drafting this Competition Notice and the attached documents, their spouses and relatives to the fourth degree (included) and anyone who currently has an employment contract or other legal relationship with them. A legal relationship is intended as that of a sharing situation, also in the same working environment, that has given rise to a reciprocal joint-penetration of respective professional activities from a technical-organisational point of view;
2. those who may be favoured due to the execution of preliminary services for the purpose of the Competition and/or their involvement in drawing up the Competition Notice and its attachments or in creating the Competition;
3. subjects (including employees of the Organising Body) and subjects who have, on the publication date of this Competition Notice, a collaboration relationship of any kind with the Organising Body, the subject of which is the same as the theme of the Competition. Incompatibility is extended to spouses and relatives up to the fourth degree (inclusive).

Participants in the Competition will comply with obligations concerning

economic, social and work obligations, as set out in European and national regulations, collective bargaining or international provisions, as listed in annex X of Legislative Decree 50/2016, as well as regulations concerning health and safety in the workplace and contributive and welfare regularity, according to Italian legislation and to that of the country in which they are established.

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

The composition of the participating group cannot be altered between phase one and phase two, otherwise the group will be excluded from the procedure.

Participants and members of the Jury cannot have any contact regarding the subject of the Competition for the entire duration of the procedure, otherwise participants will be excluded.

Participants and the Organising Body cannot have any contact with regard to the subject of the Competition for the whole duration of same, otherwise participants will be excluded, with the exception of that stated in subsequent Art. 9 of this Competition Notice.

5. ACCEPTING THE REGULATIONS

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

The subjects taking part in the procedure explicitly hold the Organising Body free and harmless from any responsibility regarding any malfunction or defect regarding connectivity services required for reaching the remote acquisition system for project proposals and documentation.

6. PROCEDURE FOR REMEDYING DEFICIENCIES

Deficiencies in any formal element of the application, excluding those regarding the project proposal, can be remedied via the procedure for remedying deficiencies as set out in Art. 83, subsection 9 of Legislative Decree 50/2016 and subsequent amendments and additions.

The Organising Body assigns a deadline to the participant of no more than ten days for the required documents and declarations to be made, completed, added to or adjusted, stating the content and the subjects who must make them.

In the event that the deadline passes without adjustments or insufficient integrations submitted, the participant will be excluded from the procedure.

7. ANAC PAYMENT

Pursuant to Resolution no. 1121 of 29 December 2020, and in order not to be excluded from the procedure, the participant in the Competition shall make a payment of € 20,00 to the National Anticorruption Authority³ as a contribution for participation in the Competition, no later than the term for the submission of the documents for phase one, following the operating instructions provided by the Authority on its website at: www.anticorruzione.it (online services - fee collection service or Competition fee management).

8. COMPETITION DOCUMENTS

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

1. COMPETITION NOTICE

Bando di concorso (*documento_bando.pdf*)

Competition notice (*Competition notice.pdf*)

1.1 Fac-simile Terms of Engagement Magnifica Fabbrica

(*1.1 Fac-simile Disciplinare di incarico Magnifica Fabbrica.pdf*)

1.2 Completion method table for administrative documents

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

2. PRELIMINARY DESIGN DOCUMENT

2. Documento Preliminare alla Progettazione

(*2.1 Documento Preliminare alla Progettazione.pdf*)

2. Preliminary Design Document

(*2.2 Preliminary Design Document.pdf*)

3. MAP

3.1 Photomap of the Competition area

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

3.2 Tables with perimeter of the Competition area

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

3.2 Tables with perimeter of the Competition area - Autocad2000

(*3.2 Tavole con perimetrazione area di Concorso - AUTOCAD200.zip*)

3.3 Tables of current status – layout, section and elevation Palazzo di Cristallo

³ The online payment service is active at set times and does not guarantee immediate provision of a receipt. Alternatively, use cash payment, to be made at the authorised sales points. Overseas economic operators can make payments via international bank transfer to the bank account no. 4806788, opened at Monte dei Paschi di Siena (IBAN: IT 77 O 01030 03200 0000 04806788 - BIC: PASCITMMROM) made out to the “Autorità Nazionale Anticorruzione” (National Anticorruption Authority).

The reason stated on the payment must show only the identification code for fiscal purposes used in the country of residence or the country where the participant is based (e.g. VAT number) and the Identification Code of the Competition (CIG) that identifies the procedure being participated in. The overseas economic operator must attach the bank transfer receipt to the bid.

- (3.3 Tavole stato di fatto – pianta, sezione e prospetto Palazzo di Cristallo.pdf)*
- 3.3 Tables of current status – layout, section and elevation Palazzo di Cristallo Autocad2000
(3.3 Tavole stato di fatto – pianta, sezione e prospetto Palazzo di Cristallo -Autocad 2000.zip)
- 3.4 Town planning constraints and indications PGT 2030
(3.4 - Vincoli e indicazioni urbanistiche PGT 2030.pdf)
- 3.5 MAP - Sustainable Urban Mobility Plan (PUMS)
(3.5 Piano Urbano della Mobilità Sostenibile (PUMS).zip)
- 3.6 Tables of underground works
(3.6 Tavole sottoservizi.pdf)
- 3.7 MAP – Plants for Parco della Lambretta and public parking areas
(3.7 Vegetazione Parco della Lambretta e parcheggi pubblici.zip)
4. IMAGES AND VIDEOS
- 4.1 Images of current status of the Competition area
(4.1 Immagini stato di fatto area di Concorso.zip)
- 4.2 Laboratori Scala Ansaldo
(4.2 Laboratori Scala Ansaldo.zip)
- 4.3 Historic photos of the Competition area
(4.3 Foto storiche area di Concorso.zip)
5. REGULATORY FRAMEWORK AND STUDIES
- 5.1 Ministry of Culture Decree of 20.09.2021
(5.1 Decreto del Ministero della Cultura del 20.09.2021.zip)
- 5.2 Guidelines for the design of sustainable urban drainage systems in the municipal territory
(5.2 Linee guida per la progettazione dei sistemi urbani di drenaggio sostenibile nel territorio comunale.pdf)
- 5.3 Guidelines for assessment of attractive sources of wildlife in areas around airports
(5.3 Linee guida relative alla valutazione delle fonti attrattive di fauna selvatica in zone limitrofe agli aeroporti.pdf)
- 5.4 Extract of Prescriptions for design and maintenance of parks
(5.4 Estratto Prescrizioni progettuali e manutenzione verde.pdf)
- 5.5 Extract of Public Spaces – Project guidelines
(5.5 Estratto Spazio pubblico - Linee guida di progettazione.pdf)
- 5.6 Expansion of Parco della Lambretta – Analysis of case studies
(5.6 Ampliamento Parco della Lambretta – Analisi casi studio.pdf)
- 5.7 Characterisation plans
(5.7 Piani di caratterizzazione.zip)
- 5.8 Price lists for the performance of works
(5.8 Listini prezzi per l'esecuzione delle opere.zip)
6. CALCULATION OF FEES
- 6.1 Calculation of fees Ministry of Justice Decree of 17.06.2016
(6.1 Calcolo Onorari DM Giustizia 17062016.pdf)

9. QUESTIONS AND REQUEST FOR CLARIFICATION - SITE INSPECTION

Subjects interested in the Competition and participants, after registration on the Platform website, can submit requests for clarification to the Organising Body, exclusively by filling out the specific electronic form, provided on the website, for both phase one and phase two of the procedure, no later than the date **22.11.2021 at 13:00:00** and **04.03.2022 at 13:00:00**.

Final deadlines for publishing clarifications on the website, also in short form are, respectively, the date **03.12.2021 at 17:00:00** for phase one and the date **17.03.2022 at 17:00:00** for phase two.

Any dates for non-mandatory site inspections, with indication for the relevant operating methods in detail will be published on the Platform website.

10. PHASE ONE - DOCUMENTS REQUIRED

The project proposal required to take part in phase one of the Competition must consist of the following documents:

1. illustrative and technical report consisting of a maximum number of 7,500 characters, spaces included, in a UNI A4 format on PDF file, in portrait mode, with a total of 7 sides - excluding cover - which illustrate the guideline criteria, also using diagrams and images, the project choices regarding the objectives of the Competition Notice and the characteristics of the work;
2. design documents: **5 (five)** tables in UNI A3 format on PDF file, in landscape mode, that illustrate the project idea, accompanied by explanatory diagrams of the construction phases and any additional functional and distribution diagrams considered useful for understanding the project.

The document files must be printable and each file must not exceed **5MB** in size.

The alphanumeric code (registration code) that the system assigns to each participant at registration must NOT be written on the documents, otherwise the participant will be excluded.

Documents that differ from the aforementioned specifications or that contain recognisable elements (titles, logos, mottoes etc.) and which may lead back to ownership of the creative idea, will lead to exclusion from the Competition.

Files must be anonymous both in their content and in the ownership, as set out in the specifications on the website, otherwise the participant will be excluded.

Other documents or documents that differ from the ones stated in the Competition Notice and specified on the platform are not permitted.

11. TERMS AND CONDITIONS FOR PARTICIPATING IN THE COMPETITION - SUBMITTING DOCUMENTS FOR PHASE ONE⁴

The website www.magnificafabbrica.concorrimi.it will be used for participation in the Competition, where the individual or the group leader must register using a certified email address or, in the event of participants residing in other countries, an email address based on technologies that meet equivalent formalities and requisites.

In particular, it will be necessary to fill out and upload the following documents, otherwise the participant will be excluded:

- 1. Participation application;**
- 2. Authorisation of the Organisation;**
- 3. Identity Document;**
- 4. Self-certification of absence due to reasons of exclusion and compliance with the limits of participation as set out in the European Single Procurement Document (DGUE) (filled out in 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 filled out and signed electronically, and uploaded together with the requested files containing a non-certified photocopy of the signatory's identification documents and a photocopy of authorisation for participation, only in the case of a public administration employee who is participating, ex Art. 53 of Legislative Decree 165/2001 and subsequent amendments and additions.

In case of participants in the Competition using the form of temporary consortium, each member shall present a Single Procurement Document (DGUE).

Forms of participation other than those described in the Competition Notice and specified on the website are not permitted, and will lead to exclusion from the procedure. After registration on the website, participants will access all the necessary instructions for submitting administrative documents and technical documentation.

Technical documentation must be sent, **on completion of the online procedure⁵**, no later than **21.01.2022 at 13:00:00**, otherwise the participant will be excluded. Once the procedure has ended, the participant will receive an email at the certified email address used for registration, giving the date and time of transmission for the envelope for phase one.

⁴ It is stated that indications regarding the modes with which proposals must be formulated by competitors come from technical reasons connected with the functioning of the system and its operational stability during the procedure.

⁵ The expression "completion of the online procedure" is used to mean the terminal operational step of the uploading procedure of the documents into the system. As confirmation of the correct completion of the procedure, as stated in the instructions on the Competition website, the remote system will send an email to the certified email address used at the time of registration by the competitor, with date and time when envelopes are closed.

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

12. PHASE TWO - DOCUMENTS REQUIRED

The project proposal required to take part in phase two of the Competition must consist of the following documents:

1. Illustrative technical project report

The report must describe the project and provide necessary indications for continuing with the project process. Specifically, the report must address the following subjects:

- illustration of the reasons for the proposed solution and reason for the architectural, landscape and technical choices contained in the project;
- general description of the project solution from a functional point of view, together with diagrams showing the main dimensional data for the project and detailed data regarding foreseen functions;
- description of the project characterisation from the point of view of the insertion into the context and relations with the surrounding urban fabric;
- description of project criteria aimed at environmental, energy and economic sustainability, with particular reference to the foreseen technologies and materials, as well as the innovative construction solutions and methods that will be used;
- summary report on the management of hydraulic risks and the problems linked to hydrogeology, landscape and soil contamination, accompanied by documentation;
- accessibility, use, ease and convenience of maintenance and management of project solutions;
- circumstances that cannot be found in the graphic documents;
- guidelines for the drafting of the final project;
- first indications and measures aimed at safeguarding health and safety during the building site phase, for the drafting of safety plans;
- summary report on the economic-financial aspects of the project;
- project guidelines for the public space with graphic site plan to suitable scale and with free technique;
- BIM development capacity of final and executive projects during phases after the Competition;
- illustrative abstract of the project, in a maximum of 3,000 characters in Italian and English that the Organising Body can use during exhibitions, shows and publications, online and offline, as set out in Art. 23 “Exhibition and publication of project proposals” for this Competition Notice.

The report can contain images and diagrams and must be contained in a file of maximum 24 sides in UNI A3 format plus the cover, in landscape mode (a maximum of 3,500 characters per page, spaces included), including a reduction of 6 boards in a PDF file.

2. Graphic documents

- site plan in scale 1:2,000/1:1,000
- general maps and profiles in scale 1:500;
- layouts in scale 1:200 or in a scale that allows identification of all distribution characteristics, types and functions of the project, with added details in different scale, where necessary;
- functional/distribution plans and diagrams that show accesses, paths and relations between various functions;
- perspectives, sections and views in a suitable scale for the project description;
- any construction details;
- overall rendering, included in the context.

The graphic documents must be contained in 6 UNI A0 format boards in portrait mode in a PDF file.

3. Summary calculation of costs

Costs must be calculated according the price lists that can be downloaded from the Competition website. If an item to be used is not included in the aforementioned price lists, the participant must carry out a market survey and communicate, in the project documentation submitted, the ways by which the new price used for calculation purposes has been defined. The Jury reserves the right to ask for clarification from participants regarding the calculation of prices; the request will be submitted using the Platform for the purposes of guaranteeing anonymity regarding the origin of the offer.

The amount for the works shall in any case be within the financial limits of the intervention as stated in point 5 of the D.P.P. equal:

- € 65,032,500.00 (VAT excluded) for Area 1;
- € 11,870,000.00 (VAT excluded) for Area 2.

Calculation of costs, discrete for Area 1 and Area 2, shall be contained on a maximum of 9 UNI A4 sides, plus cover in PDF file.

The document files must be printable and each file must not exceed **10MB** in size.

While drafting the project proposal, participants must take into account any indications provided by the Jury at the end of phase one of the Competition.

The alphanumeric code (registration code) that the system assigns to each participant at registration must NOT be written on the documents, otherwise the participant will be excluded.

Documents that differ from the aforementioned specifications or that contain recognisable elements (titles, logos, mottoes etc.) and which may lead back to ownership of the creative idea, will lead to exclusion from the Competition.

Files must be anonymous both in their content and in the ownership, as set out in the specifications on the website, otherwise the participant will be excluded.

Other documents or documents that differ from the ones stated in the Competition Notice and stated on the Platform are not permitted.

13. TERMS AND CONDITIONS FOR SUBMITTING DOCUMENTS FOR PHASE TWO⁴

Forms of participation other than those described and specified on the website are not permitted.

Technical documentation must be sent, **on completion of the online procedure⁵**, no later than **28.04.2022 at 13:00:00**, otherwise the participant will be excluded. Once the procedure has ended, the participant will receive an email at the certified email address used for registration, giving the date and time of transmission for the envelope for phase two.

14. COMPETITION SCHEDULE

The main deadlines for the Competition procedure are as follows:

- **22.11.2021 at 13:00:00**
Deadline for receiving requests for clarification for phase one;
- **03.12.2021 at 17:00:00**
Deadline for publishing answers to the requests for clarification submitted by **22.11.2021** for phase one;
- **21.01.2022 at 13:00:00**
Final deadline for receiving project proposals for phase one;
- **04.02.2022 at 17:00:00**
Communication of project proposals which have been advanced to phase two of the Competition;
- **04.03.2022 at 13:00:00**
Deadline for receiving requests for clarification for phase two;
- **17.03.2022 at 17:00:00**
Final deadline for publishing answers to the requests for clarification submitted for phase two;
- **28.04.2022 at 13:00:00**
Final deadline for receiving project proposals for phase two.

JURY'S WORK - COMPETITION RESULT

15. JURY - PRELIMINARY EXAMINATION

The Jury will be chosen by the Organising Body after the deadline set for submission of project proposals for phase one.

The names of the Jury members will then be published on the Platform website, also to guarantee participants the possibility to inform the Sole Manager of the Procedure (RUP), as set out in Art. 25 of this Competition Notice, promptly and confidentially, of any potential conflict of interest with the Jury members using the Platform.

The following individuals cannot be Jury members:

- participants, their spouses or cohabitants and their relatives and relatives by marriage up to the fourth degree (included);
- employers and the employees of competitors and those who currently have an employment contract or other legal contract with same. A legal relationship is intended as that of a sharing situation, also in the same working environment, that has given rise to a reciprocal joint-penetration of respective professional activities from a technical-organisational point of view.

The Jury, which will be the same in phase one and phase two, consists of 5 (five) regular members, 2 (two) of whom are experts with equivalent qualification to the required professional ones (architects/engineers, representatives of the Order of Architects and Engineers), and 3 (three) representatives of the municipal Administration. In particular, the Jury will consist of:

- 3 members chosen by the Municipality of Milan;
- 1 representative of the Order of Architects, Planners, Landscapers and Conservators for the Province of Milan;
- 1 representative of the Order of Engineers for the Province of Milan.

A further 2 (two) members will also be appointed if it should be necessary to replace one or more of the regular members.

Pursuant to Law Decree no. 32 of 18 April 2019, converted to Law no. 55 of 14 June 2019 and subsequent amendments and additions, the operating term for the system of the Competition officials' register, does not apply, experimentally, until 30 June 2023, and therefore, the transitional rules, as set out in Art. 216, subsection 12, apply. For this reason, the Jury, which will be the same in the phase one and phase two, will be appointed by the Contracting Authority, which is competent to choose the subjects to whom the contract will be assigned, following competence and transparency rules.

Provisions on incompatibility and abstention are applied to Jury members, as set out in Art. 77, subsection 6 of Legislative Decree 50/2016 and subsequent amendments and additions. At the time of assignment acceptance, the Jury members declare, pursuant to Art. 47 of Presidential Decree no. 445 of 28

December 2000, that reasons for incompatibility and abstention from this Competition do not exist.

The Jury will also have a secretary with no voting rights, chosen by the Organising Body. The Jury session will be valid with the attendance of all members.

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

The Jury's work, which can work remotely using computerised procedures that safeguard the confidential nature of communications, will be carried out in one or more confidential sessions; special minutes of aforementioned sessions will be drawn up, signed by all members and stored by the RUP, whose name is provided in Art. 25 below. Minutes from the sessions, which shall be signed by all members - regular members and substitutes - will include identification of the methodology⁶ followed and the progress of works. The final minutes of phase two must contain the ranking list, with reasons provided for all participants.

The Jury therefore establishes the merit list, identifying the winner, which cannot be ex aequo, and the proposals in the list, with a possible differentiated division of the participation awards. The Jury can also identify further project proposals to mention as noteworthy. The Jury will draw up a short critical judgement for each project in the list of awarded or mentioned candidates. It is the Jury's right to draw up an overall judgement about the proposals received and examined.

The minutes, as set out in this Article, are transmitted immediately by the Jury's President to the RUP, when the Competition procedures have been completed and, subsequent to the administrative provision of acknowledgement of the minutes, published on the website www.magnificafabbrica.concorrimi.it.

The evaluation of the projects by the Jury is preceded by a preliminary examination of the documents submitted by participants and carried out without any substantive evaluation by the Coordinator, as set out in Art. 25 of this Competition Notice, and by the Secretariat. This evaluation serves exclusively to check the number and format of the documents required in the Competition Notice. A report about the preliminary evaluation, signed by the RUP (see Art. 25 of the Competition Notice) is issued to the Jury, which will make the decision regarding eligibility.

The Jury reserves the rights to ask for clarification regarding the documents submitted; the request will be submitted using the Platform for the purposes of guaranteeing anonymity regarding the origin of the project proposal.

16. PUBLIC SESSION

Publication of the alphanumeric codes attributed by the remote system to the various proposals submitted for phase one will be made known after the

⁶ Identifying the method does not determine any addition to the assessment criteria set out in the Competition Notice, which cannot be altered or added to by the Jury.

deadline for submitting the proposals, on the website www.magnificafabbrica.concorrimi.it.

The deadline for communication and publication of the project proposals advanced to phase two of the Competition is set as **04.02.2022 at 17:00:00**.

The date, time and place of the public session for the reading of the ranking list, which may even take place using video conference platform, and the announcement of the winner at the end of the phase two works will be published on the Competition website.

17. PHASE ONE JURY'S WORK

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

1. Insertion of the intervention into the context, with specific reference at the integration between the new complex of the Teatro alla Scala and the expansion of Parco della Lambretta with the surroundings and existing items, also with regard to the management of hydraulic risk (max. 25 points).
2. Quality of the project with regard to the practical use and organisation of spaces, also considering the recovery and enhancement of items existing in the Competition areas:
 - of the Teatro alla Scala laboratories and warehouses (max. 35 points);
 - of the expansion of Parco della Lambretta (max. 20 points).
3. Quality of project choices inherent to environmental sustainability, to resilience and adaptation to climate change and to CO2 savings, with particular attention to energy efficiency, to life-cycle assessment and sustainable management of building materials, to generation of ecological services and to management of water resources and waste, also in relation to maintenance aspects, to the presence of the River Lambro and management of hydraulic risk (max. 20 points).

The total score is calculated by summing allocated points for each single criterion, applying the average coefficients, shown in the table below, attributed at the discretion of the individual Jury members, to a maximum score that can be allocated to each one. The possibility is given to allocate intermediate coefficients in case of intermediate evaluation.

VERDICT	VALUES EXAMPLES	JUDGING CRITERIA FOR THE PROPOSAL
excellent	1.0	high level positive aspects or excellent response to expectations
good	0.7	evident positive aspects, but inferior to 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 proposal irrelevant

Please note that for the purposes of evaluation and the consequent allocation of points, the development of both Scenarios (I and II) stated and described in Art. 1 of this Competition Notice is required.

18. PHASE TWO JURY'S WORK

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

1. Composition, architectural and landscape quality of the project proposal concerning the new complex of the Teatro alla Scala, with specific reference to (max. 45 points):
 - its recognisability, identity and integration into the context, including the recovery of the Water Tower, as well as the capability to act as a point of cultural reference for the district and the city, and to generate social benefits for the community;
 - the hierarchy, functional organisation and accessibility of the spaces and routes, as well as dialogue between interior and exterior spaces, with particular attention to the wellness of users;
 - the definition of project choices orientated towards the principles of resilience and adaptation to climate change, CO2 savings and generation of ecological services, as well use of innovative building materials and techniques, according to the principles of circularity and environmental sustainability, in accordance with the construction times, as well as the durability and maintenance of the same;
 - the mitigation of hydraulic risk, through the identification of innovative solutions with a high environmental value.
2. Composition, architectural and landscape quality of the project proposal concerning the expansion of Parco della Lambretta, with specific reference to (max. 30 points):
 - its recognisability and identity, including partial recovery of the so-called "Palazzo di Cristallo", as well as the capacity to act as a social and aggregative point of reference for the district and the city, maximizing the opportunities for use, interaction and generation of social relationships;
 - the creation of an ecological connection and an environmental and landscape relationship with the surroundings, both on an urban and district scale;
 - the management of water and enhancement of the River Lambro;
 - the mitigation of hydraulic risk, through the identification of innovative solutions with a high environmental value;
 - integration of problems linked to hydrogeological, landscape and soil contamination aspects in a holistic, sustainable and coordinated vision.
3. Proposal quality with regard to the realisation in different phases and areas and, at the same time, recognisability of the unitary nature of the intervention (max 10 points).

4. Quality and accuracy of the calculation of costs in line with the project and the maximum total amount for the works included in the Competition Notice (max. 10 points).

5. Quality of Guidelines (max 5 points).

The total score is calculated by summing allocated points for each single criterion, applying the average coefficients, shown in the table below, attributed at the discretion of the individual Jury members, to a maximum score that can be allocated to each one. The possibility is given to allocate intermediate coefficients in case of intermediate evaluation.

VERDICT	VALUES EXAMPLES	JUDGING CRITERIA FOR THE PROPOSAL
excellent	1.0	high level positive aspects or excellent response to expectations
good	0.7	evident positive aspects, but inferior to 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 proposal irrelevant

Please note that for the purposes of evaluation and the consequent allocation of points, the development of both Scenarios (I and II) stated and described in Art. 1 of this Competition Notice is required.

19. ANNOUNCEMENT OF THE WINNER

In a public session, the Organising Body proclaims the winner of the Competition and reads out the ranking list of the 7 participants, associating the names of the corresponding competitors to the alphanumeric codes, without prejudice to necessary checks on administrative documentation and incompatibilities. For this purpose, once the projects have been matched to the name of individual Competition participants, Jury members confirm the statements of incompatibility made at the time of appointment; in case of ascertained conflict of interest, the first ranked project will be excluded from the procedure, with consequent slide down the ranking list.

At the end of the public session in which the winner is announced, the ranking list will be sent to the 7 participants.

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

FINAL OBLIGATIONS

20. AMOUNT TO WINNER AND ACKNOWLEDGEMENT OF PARTICIPATION - OWNERSHIP OF DOCUMENTS PRODUCED

The winner of the Competition will receive the sum of € 221,311.48 (two hundred and twenty-one thousand, three hundred and eleven/48, including social security contributions equal to € 8,511.03 if due), plus VAT equal to € 48,688.52 if due, making a total of € **270,000.00**.

With this payment, as set out in Art. 152, subsection 5 of Legislative Decree 50/2016 and subsequent amendments and additions, ownership of the winning project proposal is acquired by the Organising Body.

The winner of the Competition will within 60 (sixty) days from the announcement (this term may be extended by the RUP if formally requested by the winner) shall complete the development of Competition documents, achieving the technical and economic feasibility project level. In this phase, the winner of the Competition undertakes to carry out all of the enquiries and checks needed for feasibility project completion and to acquire the opinions, authorisations and permissions for the approval of same. The aforementioned undertaking is included and paid for in the award allocated to the winner.

For the participation, each of the next **6 (six)** competitors will receive a sum of € 10,245.90 (ten thousand two hundred and forty-five/90, including social security contributions equal to € 394.07 if due), plus VAT equal to € 2,254.10 if due, making a total of € **12,500.00**.

The amount for the winner will be paid at 50% following announcement, plus 40% on completion of the project technical and economic feasibility documents, according to the instructions provided by the Organising Body, and the remaining 10% share, following completion and upgrades with regard to the results of checks on soil quality. Payment of participation awards as set out above will be made within 90 (ninety) days from the date on which the administrative provision by which the Jury's work is approved becomes executive.

In the event of groups, the amount to the winner and the participation awards will be made solely to the subject indicated as group leader in the application form.

On request, authors of the aforementioned projects or those worthy of mention, after a positive check of requirements, will be issued with a **Certificate of Good Execution of Service**, which can be used in their curriculum. Therefore, competitors in the ranking list or those considered worthy of mention can assimilate their performance to a technical and economic feasibility project as identified in the aforementioned Ministry of Justice Decree 17 June 2016.

Intellectual property and copyrights for the submitted projects belong to the participating authors, in accordance with laws regarding copyright and intellectual property rights.

With regards to projects, images and all the materials made available to the Organising Body and required for participation, the competitor assumes all responsibility consequent to the violation of patent rights, copyright, intellectual property rights and generally others' sole rights.

No payment is granted for taking part in phase one of the Competition.

21. PUBLICATION OF COMPETITION RESULTS

Without prejudice to the provisions of current laws on the matter, the result of the Competition will be published on the website of the Organising Body and on the Competition website www.magnificafabbrica.concorrimi.it, within 10 (ten) days from the date of approval of the Jury's work and will be communicated to the local professional orders concerned.

FINAL PROVISIONS

22. PRIVACY

Personal data provided together with the application form will be processed by the Organising Body for the sole purpose of identifying the finalists, after analysis and evaluation of the projects. Processing is based on the legal basis of execution of precontractual measures adopted on the data subject's request and of the fulfilment of legal obligations (in particular the Legislative Decree 50/2016 and subsequent amendments and additions).

The data will be stored for 10 years after completion of the Competition and any appeals.

Data may be communicated to other subjects only for purposes strictly connected with the Competition, with management of information systems and valorisation of the project proposals as set out in the section below.

Pursuant to Legislative Decree no. 196 of 30 June 2003 and subsequent amendments and additions and to Regulation EU 2016/679, by accepting this Competition Notice, participants are giving their express consent for their personal data to be processed for purposes related to the performance of the Design Competition, in accordance with the provisions in force.

Personal data may be transferred to countries outside the EU or the EEA. In these cases, the Organising Body will use providers in the EEA territory; if this is not the case, the Body will verify the adequacy of the provider in accordance with that set out in the legislation in force, by the European Commission and by the Data Protection Authority.

Data subjects have some rights established by regulations. Specifically:

- unless prevented by laws or regulations, to obtain access to their personal data, rectify, delete and limit or block the data processing; they may also request portability;
- to send a complaint to the Organising Body, its Data Protection Officer or the national supervisory authority (in Italy this is the Garante per la protezione dei dati personali), following the instructions on its website.

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

To exercise these rights, the reference channels of the Organising Body indicated above must be used.

The Data Controller, **Simona Collarini** can be contacted at the certified email address sviluppoterritorio@postacert.comune.milano.it and physically at the address **via Sile 8, 20139 Milan**.

The Data Protection Officer (DPO) for the Municipality of Milan can be reached at the following email address: **dpo@Comune.Milano.it**.

23. EXHIBITION AND PUBLICATION OF PROJECT PROPOSALS

By paying the amount, the Organising Body acquires ownership of the winning project proposal. In all cases, copyright and intellectual property of the project proposals remain with the respective authors.

The Organising Body undertakes to submit the initiative to the national press and to promote the Competition results through actions that it believes to be most appropriate, showing the names of each author and without any additional payment to them.

Competitors are entitled to publish their works without restrictions; it is forbidden to publish documents in any form during the Competition procedure.

By taking part in the Competition, participants authorise the exhibition and possible publication of the submitted documents, also on the website www.magnificafabbrica.concorrimi.it, without any additional payment to them.

24. ASSIGNMENT OF THE DEVELOPMENT OF FURTHER PROJECT LEVELS

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

In this case, on the basis of the value of the works as defined in the D.P.P., 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 the Definitive and Executive Design, together with the Supervision of Works for:

- Teatro alla Scala laboratories and warehouses, in Area 1, for a maximum sum, quantified as € **6,572,621.37**;
- expansion of Parco della Lambretta, in Area 2, for a maximum sum, quantified as € **1,545,641.98**.

The analytical description of the payment and services requested is shown in the annex “Calculation of Fees Ministry of Justice Decree of 17 June 2016” which sets out the analytical calculation of fees according to the contents of the aforementioned Decree.

Without prejudice to the maximum sum above (Art. 1), the Organising Body reformulates the professional fee based on the amount for the works, resulting from the completion phase for the technical and economic feasibility project, as

set out in Art. 20 of this Competition Notice.

For the purpose of the assignment, the winner must have the following requirements as set out in Art. 83 of Legislative Decree 50/2016 and subsequent amendments and additions:

- ECONOMIC-FINANCIAL REQUIREMENTS as set out in Art. 83, subsection 1, letter b) of Legislative Decree 50/2016 and subsequent amendments and additions: the winner of the Competition must demonstrate a suitable level of professional liability insurance cover, in line with what is set out in Art. 83, subsection 4, letter c).
- TECHNICAL AND PROFESSIONAL CAPACITY REQUIREMENTS as set out in Art. 83, subsection 1, letter c) of Legislative Decree 50/2016 and subsequent amendments and integrations.

With the attached documentation, the winner of the Competition must prove:

- the **completion**, in the last ten years, **of services** pertinent to Architecture and Engineering, as set out in Art. 3, letter vvvv) of the Code, regarding the works that belong to each of the “ID-Works” of the works that the services to be assigned refer to, identified on the basis of the lists contained in current professional fees, **making an overall total amount** for each “ID-Work” **of 1 time the estimated cost** of the works referred to for this service, calculated in reference to each of the “ID-Works”;
- the **performance**, in the last ten years, **of two services** pertinent to Architecture and Engineering, as set out in Art. 3, letter vvvv) of the Code, regarding works belonging to each of the “ID-Works” of the works that the services to be assigned refer to, identified on the basis of the lists contained in current professional fees, making a total amount of at least **0.40 times the estimated cost** of the works referred to for this service, calculated in reference to each of the “ID-Works”.

Specifically, with reference to Area 1 (Teatro alla Scala laboratories and warehouses):

- for the Building category, for the purposes of qualification as part of the same category, the activities performed for similar works to those in this service are to be considered appropriate to prove requirements when the degree of complexity is at least the same as the services to be assigned;
- for the category Systems ID IA.01, for the purposes of qualification, the activities performed for works similar to those in the services to be assigned, are to be considered suitable to prove requirements when regarding the following ID: IA.01;
- for the category Systems ID IA.02, for the purposes of qualification, the activities performed for works similar to those in the services to be assigned, are to be considered suitable to prove requirements when regarding the following ID: IA.02;
- for the category Systems ID IA.04, for the purposes of qualification, the activities performed for works similar to those in the services to be assigned, are to be considered suitable to prove requirements when regarding the following ID: IA.04;
- for the category Structures ID S.04, for the purposes of qualification, the

activities performed for works similar to those in the services to be assigned, are to be considered suitable to prove requirements when regarding the following ID: S.04.

Pursuant to Art. 8 of Ministry of Justice Decree of 17 June 2016, insofar as concerns Structures and Systems, higher degrees of complexity also qualify for works with a lower complexity within the same category of works.

The **work group** shall be formed of the following minimum units:

- 1. Engineer or architect** for services regarding the fee category E.13, registered in relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3 of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country in which they are established.
- 2. Engineer or architect** for services regarding the fee categories IA.01 and IA.02, registered with relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3 of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country in which they are established.
- 3. Engineer or architect** for services regarding the fee category IA.04, registered with relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3, of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country in which they are established.
- 4. Engineer or architect** for services regarding the fee category S.04, registered with relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3, of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country in which they are established.
- 5. Engineer or architect** for services regarding the fee category V.02, registered with relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3, of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country

in which they are established.

6. **Professional** who carries out the task of safety coordinator during the design and execution phase, in possession of the requirements as set out in Art. 98 of Legislative Decree 81/2008.

With reference to Area 2 (expansion of Parco della Lambretta):

- for the Building category, for the purposes of qualification as part of the same category, the activities performed for similar works to those in this service are to be considered appropriate to prove requirements when the degree of complexity is at least the same as the service to be assigned;
- For the category Systems ID IA.03, for the purposes of qualification, the activities performed for works similar to those in the services to be assigned, are to be considered suitable to prove requirements when regarding the following ID: IA.03;
- For the category Structures ID S.04, for the purposes of qualification, the activities performed for works similar to those in the services to be assigned, are to be considered suitable to prove requirements when regarding the following ID: S.04;
- For the category Plumbing ID D.04, for the purposes of qualification, the activities performed for works similar to those in the services to be assigned, are to be considered suitable to prove requirements when regarding the following ID: D.04;
- For the category Landscape ID P.01, for the purposes of qualification, the activities performed for works similar to those in the services to be assigned, are to be considered suitable to prove requirements when regarding the following ID: P.01.

Pursuant to Art. 8 of Ministry of Justice Decree of 17 June 2016, insofar as concerns Structures and Systems, higher degrees of complexity also qualify for works with a lower complexity within the same category of works.

The **work group** shall be formed of the following minimum units:

1. **Architect** for services regarding the fee category E.22, registered with relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3, of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country in which they are established.
2. **Engineer** for services regarding the fee categories D.03 and D.04, registered with relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3, of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country in which they are established.

3. **Engineer or architect** for services regarding the fee category IA.03, registered with relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3, of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country in which they are established.
4. **Engineer or architect** for services regarding the fee category S.04, registered with relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3 of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country in which they are established.
5. **Professional** who carries out the task of safety coordinator during the design and execution phase, in possession of the requirements as set out in Art. 98 of Legislative Decree 81/2008.
6. **Architect or Professional** for services regarding the fee category E.17, registered with relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3, of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country in which they are established.
7. **Geologist** registered with relevant professional register. Competition participants who are not established in Italy but in another EU member state or in one of the countries in Art. 83, subsection 3 of Legislative Decree 50/2016 and subsequent amendments and additions, must submit proof of registration with the relevant professional register provided for by their national legislation or a sworn statement or other, according to the methods in force in the country in which they are established.

Please note that professionals in possession of the relevant capacities and minimum requirements may fill the same professional positions for both Areas.

The economic-financial requirements, as set out in Art. 83, subsection 1, letter b) of Legislative Decree 50/2016 and subsequent amendments and additions, and the technical and professional capacity requirements, as set out in Art. 83, subsection 1, letter c), can be proven by the winner of the Competition, in the assignment phase of the subsequent project levels.

Possession of the requirements of professional suitability, economic and financial capacity, technical and professional capacity of the winner will only be verified if the services are assigned, using the procedure set out in Art. 81, subsection 1 of Legislative Decree 50/2016 and subsequent amendments and

additions.

The special requirements referred to above must be possessed overall by the group. The group leader must possess a higher percentage than the other members; the latter may not be required to possess minimum percentages of the same requirements.

The winner of the Competition, for the purposes of demonstrating the requirements for the assignment of services referred to in the previous section, may, pursuant to Art. 152, subsection 5, of Legislative Decree 50/2016 and subsequent amendments and additions, form a temporary consortium of subjects as set out in Art. 46, subsection 1, of Legislative Decree 50/2016 and subsequent amendments and additions, or change the group already proposed for participation in the Competition procedure with other subjects, provided that in both cases, these subjects have not already taken part in the Competition, submitting, at the time of participation in the Competition procedure, an express commitment to this regard.

In the case of temporary consortium, the consortium must be formally established before the assignment for the development of further project levels.

The winner of the Competition must demonstrate possession of the economic-financial and technical requirements 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 further project levels. In case of failure to demonstrate possession of said requirements, or if the term set for this purpose should expire, the Organising Body reserves the right to assign the development of subsequent project levels and the supervision of works to another subject, to be identified according to a procedure permitted by law. In this event, the winner of the Competition may in any case be assigned the role of supervisor for the definitive and executive project intervention and the artistic direction of works for the new WORK.

Intellectual property and copyright for the project belong in any case to the winner of the Competition.

The Organising Body reserves the right to proceed to assign further project levels for different phases and areas (Area 1 and Area 2), with reference also to the different functional uses for the Competition areas, as well as the different forms, timings and methods of financing.

This is without prejudice to the possibility for the Organising Body to rely on the right as set out in Art. 23, subsection 4 of Legislative Decree 50/2016 and successive amendments and additions or not to proceed with the assignment for further project levels to the technical-economic feasibility project and supervision of works; in this event, the winner of the Competition will in any case be paid the amount as provided for in this Competition Notice and by which, the Municipality of Milan will in any case acquire ownership of the winning project proposal.

25. PUBLICITY AND DIFFUSION OF THE COMPETITION NOTICE - SOLE MANAGER OF PROCEDURE - COORDINATOR OF THE COMPETITION

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

Sole Manager of the Procedure (RUP) is: **Simona Collarini**

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

26. LANGUAGE

The official language is Italian. Use of the English language is permitted.

27. FINAL PROVISIONS - JURISDICTIONAL PROTECTION

Access to the acts of the entire procedure is allowed after the administrative provision of acknowledgement of the minutes of the Jury's work. For all matters not governed by the Competition Notice, the current law in force on such matters is applied.

Art. 211 of Legislative Decree 50/2016 and subsequent amendments and additions, and Arts. 119 and 120 of Legislative Decree 104/2010 (Administrative Process Code) and subsequent amendments and additions, are applied.

The Competition Notice and documents attached and consequential to the Competition procedure are only contestable by appeal to the regional administrative tribunal.

For any disputes that may arise, the **Regional Administrative Tribunal for the Lombardy Region, Milan branch** has jurisdiction.

REGULATORY FRAMEWORK

Presidential Decree no. 328 of 5 June 2001 (Arts. 15 and 45) and subsequent amendments and additions;

Legislative Decree no. 196 of 30 June 2003 and subsequent amendments and additions;

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

Legislative Decree no. 104 of 2 July 2010 and subsequent amendments and additions;

Legislative Decree no. 50 of 8 April 2016 and subsequent amendments and additions;

Resolution no. 1121 of 29 December 2020 and subsequent amendments and additions - ANAC;

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

Ministry of Justice Decree of 17 June 2016 and subsequent amendments and additions;

Ministry of Infrastructure and Transport Decree no. 263 of 2 December 2016 and subsequent amendments and additions;

Legislative Decree no. 56 of 19 April 2017 and subsequent amendments and additions;

Communication of ANAC President of 9 January 2019;

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

