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Regulation for Sub-Threshold Procurement of Works, Services and Supplies

Drawn up pursuant to Legislative Decree no. 36 of 31 March 2023 ("Public Contracts Code")

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The Management Board of UWC Adriatic

WHEREAS UWC Adriatic is a private cultural foundation with legal personality, not equivalent to a public administration either in its internal structure or in the functions attributed to it by law, and for which no service relationship with public administrations exists;

CONSIDERING that, due to the mixed use of private and public funds, the difficulty and excessive burden of distinguishing their nature case by case, and the extension of accounting jurisdiction to activities financed with public funds, it is appropriate for UWC Adriatic to follow procedures inspired by public procurement principles;

CONSIDERING it appropriate to adopt specific internal regulations governing sub-threshold procurement, both under ordinary and derogatory regimes;

HAVING REGARD TO Article 11 of the Statute, which provides that the Management Board "approves the regulations of the College";

HAVING REGARD TO Legislative Decree no. 36/2023 and subsequent amendments;

RESOLVES

to approve the attached Regulation for sub-threshold procurement of works, services and supplies, which repeals and replaces previous regulations adopted under Legislative Decrees 163/2006 and 50/2016.

GENERAL PRINCIPLES

This Regulation governs procedures for awarding works, services and supplies contracts pursuant to Legislative Decree no. 36/2023 ("Public Contracts Code"), which UWC Adriatic intends to follow in compliance with national law and the principles of transparency, publicity, impartiality, efficiency and equal opportunity among operators.

Art. 1 – Purpose and Scope

This Regulation defines principles, internal processes and procedures for awarding and executing procurement contracts ("Procurement Procedures").

UWC Adriatic ensures:

- **Result principle**: timely execution and best value for money
- **Trust principle**: legitimacy, transparency and correctness
- **Market access**: competition, non-discrimination, proportionality
- **Good faith**: protection of legitimate expectations
- **Contractual autonomy**: appropriate contractual forms
- **Contractual balance**: management of unforeseen changes
- **Labour protection**: application of collective agreements
- **Proportionality**: adequacy of procedures
- **Rotation**: avoidance of preferential relationships

The Regulation also ensures participation of SMEs and addresses conflicts of interest.

It does **not apply** to:

- freelance work
- consultancy
- staff recruitment

International procurement linked to IB or UWC global requirements follows this Regulation except for traceability and e-procurement obligations.

Art. 2 – Procurement Planning and Process Phases

The process is divided into:

Design Phase

Managed by the Director or relevant manager (unless otherwise indicated by the Rettore), who:

- defines needs and technical requirements

- estimates costs
- may collect quotations

Authorisation

The Rettore:

- approves expenditure via a *decision to contract*
- appoints the **RUP (Project Manager)**

Award Phase (RUP)

Responsible for:

- managing procurement procedures
- obtaining CIG (contract ID code)
- preparing contractual documentation

Execution Phase

Responsible for:

- supervising performance
- authorising payments
- managing purchased goods

Procurements above €140,000 (€150,000 for works) are included in the three-year procurement programme.

Art. 3 – Purchase Request Procedure

The request must include:

- justification
- description
- technical documentation
- cost estimate or quotations
- supplier requirements
- timelines
- funding source
- budget reference

Approval is granted by the Rettore via the decision to contract.

Art. 4 – Simplified Procedures (Below €1,500)

For minor, urgent purchases:

- simplified process allowed
- no formal decision to contract required
- no traceability obligations

A basic expense request form must be completed and validated.

Art. 5 – Direct Award

Applicable for:

- services/supplies < €140,000
- works < €150,000

Requires:

- market analysis (even informal)
- qualified suppliers

Verification:

- self-declaration (< €40,000)
- full verification via FVOE (above €40,000)

The decision to contract must justify:

- supplier choice
- value for money
- compliance with rotation principle

Art. 6 – Negotiated Procedure without Prior Publication

Applies to contracts:

- ≥ €140,000 (services/supplies)
- ≥ €150,000 (works)

Requires:

- market notice publication
- selection criteria
- evaluation criteria

Award criteria:

- best value for money
- or lowest price

The Rettore appoints the evaluation committee.

Art. 7 – Contract Execution

Contracts must be:

- in written form
- in electronic format

They may also be concluded via certified email exchange.

Art. 8 – Certification of Proper Performance

Before payment:

- compliance is verified
- approval is issued by the execution manager

Art. 9 – Suspension, Termination and Withdrawal

In case of breach:

- penalties apply
- contract may be terminated

Payment is limited to properly performed services.

Art. 10 – Entry into Force

This Regulation enters into force upon adoption and is published on the institutional website.

Art. 11 – Reference

For matters not covered:

- Statute
- Public Contracts Code
- applicable national legislation

Art. 12 – Tax Charges

All amounts are **exclusive of VAT**.
Suppliers bear all related costs.

Art. 13 – Final Provision

Applicable law includes:

- Legislative Decree no. 36/2023
- implementing regulations
- civil code

Duino Aurisina, 27 March 2026