



REGIONE AUTÒNOMA DE SARDIGNA
REGIONE AUTONOMA DELLA SARDEGNA



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A silver laptop is shown from a slightly elevated perspective, with its screen displaying a red background and white text. The text reads "Integrity Pacts" in a large font, followed by "The experience of Sardinia Region" in a slightly smaller font.

Integrity Pacts

The experience of Sardinia Region

Bucharest 14 December 2017



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REGIONE AUTÒNOMA DE SARDIGNIA
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1. Sardinia in Europe



Some data

- Population:
1.658.138 inhabitants
- Regional spending:
7.698.597.622,50 €



2. The italian anti-corruption law



The national law

Law adopted at state level

(L. 190/2012, Art. 1, c. 17):

- considers the integrity pact only as a tool to prevent the risk of corruption
- does not explicitly provide for an obligation for the contracting authorities to adopt, subscribe and ask for subscription of the integrity pacts



3. The Integrity Pact in the experience of Sardinia Region



Steps

Steps of Sardinia Region to made the IP mandatory:

11 February
2015

- Memorandum of understanding with Transparency International Italia

15 June
2015

- Memorandum of understanding between RAS- TI-It - ANCI Sardinia

15 June
2015

- Regional Council's Decision n. 30/16



3. The integrity pact in the experience of Sardinia Region



What has been done

- Integrity Pacts are mandatory in Sardinia Region and in municipalities
- Companies have the obligation to committed to subscribe the integrity pact when they register in the IT system for the Sardinian public procurement (Central purchasing body)
- Introduction of the IP in the contracting authorities of local health companies



3. The integrity pact in the experience of Sardinia Region



How IP was made mandatory

The Regional Council, through a Council's decision, has decided that:

- every regional public tender call must include a clause that obliges the bidders to subscribe the integrity pact in case of award of the contract
- Municipalities using regional funds are obliged to introduce IP in their tender procedures



3. The integrity pact in the experience of Sardinia Region



The structure of Integrity Pacts in Sardinia Region (1/2)

Commitments of the contracting authority (CA) and the bidder apply to different phases:

Phase	Example
Pre contractual	Commitment to not influence the content of the tender
Contractual	Commitment not to make agreements or to take actions to restrict competition
Execution	Commitment for the contractor to fulfill the correct execution of the contract and, for the CA, to verify the correct execution of the service



3. The integrity pact in the experience of Sardinia Region



The structure of Integrity Pacts in Sardinia Region (2/2)

Consequences if violations

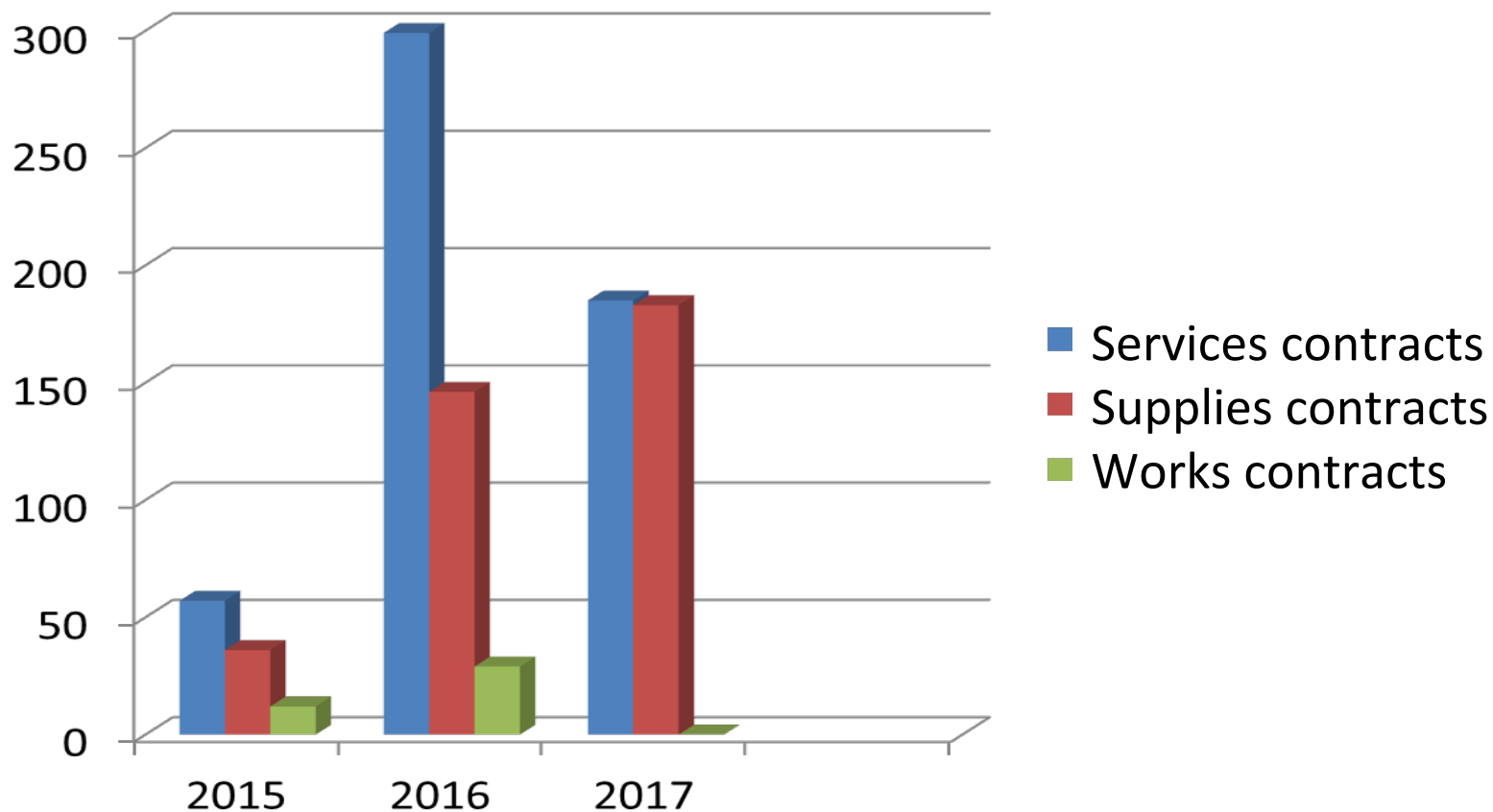
- Exclusion from the tender procedure
- End of contract
- Total or partial retain of security bonds
- Prohibition for the competitor to participate in other tenders issued by the contracting authority for a period of time between 6 months to 3 years



3. The integrity pact in the experience of Sardinia Region



Data on application of Integrity Pacts in Sardinia





3. The integrity pact in the experience of Sardinia Region



Critical issues

- Lack of funds for financing a “monitor”
- Current difficulty in collecting complete data about the municipalities’ s tender procedures