



STUDIO LEGALE  
**SANTIAPICHI**

ASSOCIAZIONE TRA PROFESSIONISTI



## INDEX

WHO WE ARE.....	4
PRACTICE AREAS	
ENERGY AND ENVIRONMENT.....	7
PLANNING AND DEVELOPMENT.....	10
REAL ESTATE MANAGEMENT, LEASING CONSULTANCY AND EXECUTIONS .....	13
WASTE .....	17
PROCUREMENT AND CONTRACTUAL DOCUMENTATION GOVERNED BY PUBLIC LAWS.....	19
ADMINISTRATIVE LITIGATION.....	23
TLC, HEALTH ETC.....	25
POSITION ON THE MARKET AND WEB.....	27
LEGAL NOTES.....	30
CONTACTS.....	31

# WHO WE ARE



The "Santiapichi Law Firm - Association of Professionals" arises from the will of the Founders to create a professional structure able to provide its Clients with quality legal services and to enhance the specific skills of its collaborators by continuing education and training.

After years of reciprocal and stable collaboration, the lawyers Xavier Santiapichi and Nicoletta Tradardi founded in 2006 the Professional Association, assisted by other professionals, and in 2012 they associate to the law firm the Avv. Gaetano Pecoraro, after having taken care of the training in the period of forensic practice, until he obtained the inscription to the bar in 2009.

At the moment, the team consists of eight professionals: three Partners (Avv. Xavier Santiapichi, Avv. Nicoletta Tradardi and Avv. Gaetano Pecoraro) and five Associates (Avv. Leonilde Famularo, Avv. Fabrizio Palazzini, Avv. Valentina Taborra, Avv. Laura Greco and Dr. Laura Di Pasquale).

The Law Firm ensures the multidisciplinary treatment of the single practice through its professionals, who work alongside the traditional administrative legal skills and the sectoral ones, as well as through a constant relationship with its consultants.

To this end, since the 2010, the Law Firm assures clients who need, in dealing with practices of competence, also the notary advice, with the Notary Cristina Capua.

The Law Firm is constantly engaged in the enrichment of the available instrumental resources; in particular, in the last year, the library has been enriched, also virtual, with new and important accessions, in order to always ensure the necessary and updated thematic analysis.

Regarding the technical - IT profile, The Law Firm promotes the most innovative IT management systems which permit to the professionals to immediately consult them at any time.

PRACTICE AREAS  
ENERGY AND ENVIRONMENT



The energy and environmental sectors represent traditional areas of operation of the Law Firm. The lawyer Xavier Santiapichi, as reference partner, is member of the National Commission V.I.A. (Environmental Impact Assessment) and V.A.S. (Strategic Environmental Assessment) at the Ministry of Environment and Protection of the Sea. In this role, the lawyer Xavier Santiapichi was the Representative (therefore responsible for an Instructor Group, which oversaw the preparation of the related acts) of numerous Strategic Environmental Assessment procedures (in particular in the hydrographic field) and of Environmental Impact Assessment (roads, highways, waste treatment plants, regasifiers). He also collaborated with the Ministry during the revision phase of environmental legislation.

As an expert in the subject, the Avv. Santiapichi has supported the Sicilian Region for about a year, supervising the release of all environmental authorizations of regional jurisdiction.

Since 2012, the lawyer Santiapichi is also a consultant of the Ministry of Infrastructures and Transport - Provisional interregional for the public works of Lazio - Abruzzo - Sardinia and he is a member of the Technical Committee of the same Provisional.

Regarding the energy law, the Law Firm, providing judicial and out-of-court assistance, both to local Administrations and to companies of primary importance operating in the sector, developed a deep knowledge in the discipline of alternative energies (wind and photovoltaic), in terms of authorizing procedures as well as price-related incentives and energy efficiency.

In environmental law, the Law Firm analyzed the legal issues of the water's integrated service, (providing advice to a regional administration for the activities concerning the implementation of the so-called Galli law, procedures for assigning the water's integrated service) and those related to environmental management (damage to the environment).

Over the years, legal connections have also been developed between environmental procedures (SEA and EIA) and urban planning, collaborating with public authorities and private authorities . Another field, connected to environmental law, in which the Law Firm operates is that of mines and peat bogs. About it, the judicial and extrajudicial activity essentially refers to the relationships between disciplines regarding excavation and urban planning legislation and environmental and landscape protection, with reference both to the authorizing profiles and the subsequent expansion, as well as to the recovery phase.



The Firm boasts a consolidated experience on the topics of territory management, and in particular, in the relationship between private and public administration. Everything with the ultimate goal of sustainable development of the territory.

The Law Firm assists, both judicially and extra-judicially, various public institutions (in particular, local institutions), public companies, private companies and religious institutions, that are engaged in major urban planning and construction projects, which are sometimes combined with profiles of social utility.

In urban planning law, the Law Firm is specialized in procedures of planning, both on a general level (PRG) and on an implementation level (detailed plans, subdivision plans, plans for productive settlements, recovery plans, integrated programs, program agreements), as well as in procedures for specific sectors (e.g. shopping centers and commercial parks, installation of mobile cellular SRB systems, construction of fuel service and refreshment areas).

The Law Firm is focused on the landscape, also in this case, both in the planning phase (P.T.P.R.), and in the implementation - authorizing phase, assisting public administrations and private subjects.

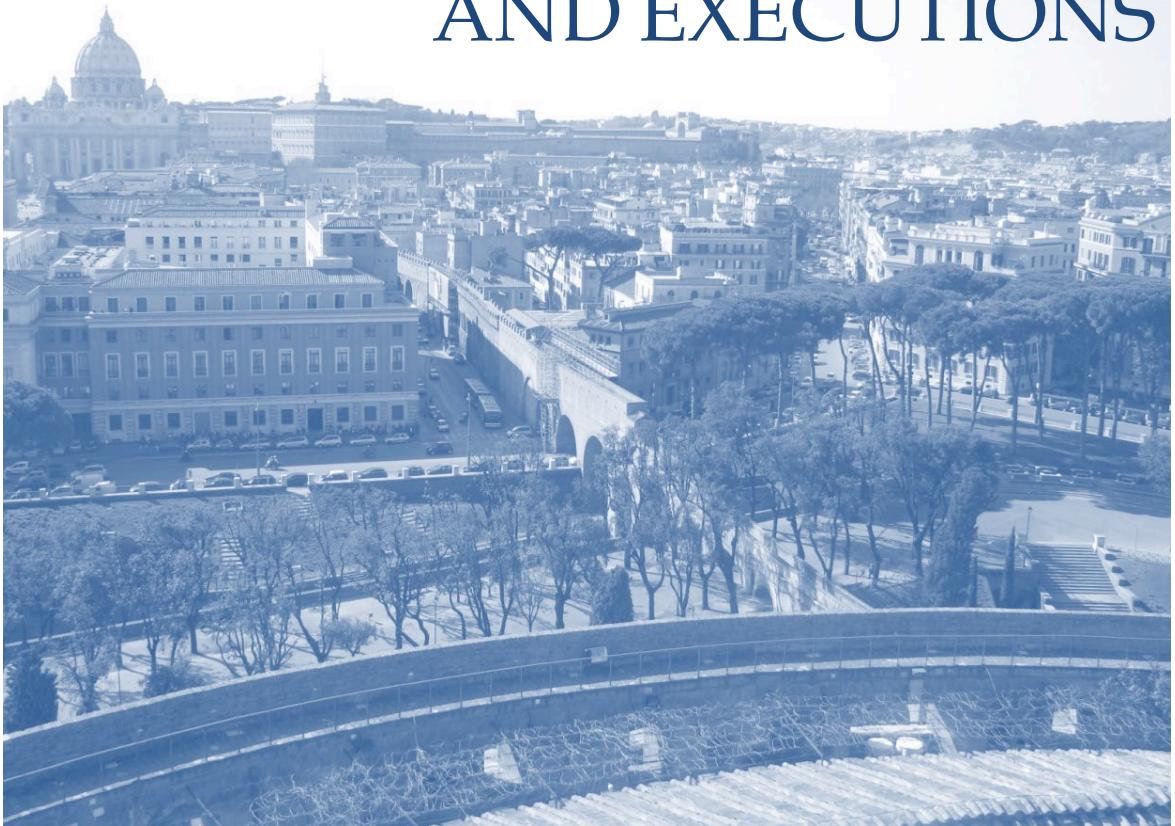
Among the most recent experiences in relation to the relationship between urban planning and landscape planning, the Law Firm has effectively followed some leading construction companies in the process of applying a landscape constraint to a large part of the Roman Agro, achieving a balanced comparison between landscape protection and economic development.

Judicial and out-of-court assistance in the building sector (more specifically linked to individual buildings) is multiple and traditionally it represents one of the main areas of activity of the Law Firm.

The field of operation in these subjects is extended to the entire national territory and it is enhanced by the knowledge of specific sector regulations at regional level and of the mutual comparison.

Finally, the Law Firm assists Public Administrations and private owners on the subject of expropriation for public utility and emergency employment.

PRACTICE AREAS  
REAL ESTATE MANAGEMENT,  
LEASING CONSULTANCY  
AND EXECUTIONS



The Law Firm boasts decades of experience in the field of the real estate law, in all its articulations (urban planning / construction, contracting, legal aspects - management).

Our structure has always given a constant assistance (judicial and extrajudicial) in favor of institutions and companies, part of the public network and dedicated to the management of extensive public real estate assets, both rural and urban.

This is a multi-sector experience, which has enabled the Law Firm to develop extensive knowledge in all areas of real estate law, in the branches of administrative law and civil law; in both cases, the Law Firm carried out judicial and extrajudicial consultancy.

In the field of administrative law, the Law Firm dealt with the aspects of territorial planning and of building planning. Under the first profile, the activity consisted of a legal support in the approval of urban plans and projects and in situations of expropriation for public utility; under the second profile, instead, the Law Firm dedicated itself to the issues concerning the building regularity of buildings and some cases of illicit constructions, also about very ancient situations, developing an important capacity for historical, legal and technical reconstruction relating to the single housing unit. The Law Firm took care of several judgments, before the Regional Administrative Court of Lazio, related to construction aspects and, in particular, to the phenomena of building abuses.

As anticipated, the consultancy in the management of real estate assets was also addressed to issues of a more distinctly contractual and leasing nature, for the benefit of Real Estate Funds. For example, we can highlight the issues relating to the renewal of leases, the legal

position of the so called “occupiers” (including those who hold expired tenancy contracts), including those sine titulo, matters concerning the competence and allocation of expenses for extraordinary and ordinary maintenance, the monitoring of the regularity in the payment of the lease fees and some judicial and extrajudicial initiatives in case of default of the tenants. The complexity of these issues originates from the particular legal connotation of real estate assets and its dimension.

Always in the context of this collaboration, the Law Firm has dealt with the legal aspects of the rural heritage, including agricultural territory and extensive estates, both as regards the issue of agrarian rents, and the problems - peculiar - of the insistence on many of such goods of civic uses, levels and emphyteusis.

The Law Firm carried out the activities described above by means of a detailed and regular system of controls and administrative and contractual due diligence of the individual positions. The same procedure is also applied for the purpose of contractual renewals (regularity of the title, verification of the civil / administrative regularity on possible building abuses and / or changes of intended use not allowed, regularity in the payment of fees).

The Law Firm, as part of the consultancy concerning the management of real estate assets, worked on the selection of suppliers of works, supplies and services, through the preparation of the prodromal acts to the selection of candidates and taking care of the subsequent phases of choice and performance of the service.

Always in the field of consultancy carried out on these subjects, the Law Firm collaborated in the creation of a closed-end Real Estate Fund, in which n. 926 public ownership units. The participation in the establishment of the Fund represented an experience of great significance for the Law Firm, as on that occasion both aspects of the legal support provided by our structure were expressed, the first one related to the urban regularity / building construction, and the second one concerning the more properly contractual issues of the lease (regularity of the contract, fees, distribution of maintenance costs).

During these years, the Law Firm constantly dealt with issues concerning the management of real estate assets, mainly in the public field: it collaborated on behalf of an important banking group to the spin-off for the establishment of a newco, coparticipated by the real estate company and services of one of the most important Italian power companies.

The Law firm gained a significant professional experience by working for some IPAB, Public Assistance Institutes, always with regard to the management of public real estate assets, assisting entities in extrajudicial and judicial phase.

PRACTICE AREAS  
WASTE



In recent years, the waste sector is certainly - among all - the most driving force for the Law Firm's activities. We are, in fact, the first Italian firm to be specialized in this field and we cultivate - with tenacity and competence - this goal.

The Law Firm assisted various public and private institutions and companies that developed plants for treatment and waste disposal. We have to underline our experience in GAIA SpA (now LazioAmbiente SpA) during the occasion of the localization and construction of two incinerators, and also the support that we gave to the main operator in the sector in Abruzzo, which manages landfills, TMB plants (Biological Mechanical Treatment), sieving, shredding, selection. It should also be noted that the Law Firm - following a procedure with public evidence - was chosen as the Advisor of the selection procedure for the identification of an industrial partner in view of the construction of an anaerobic digestion energy production plant.

Actually, the Law Firm also joins some public companies in view of achieving the objectives set by the legislation on in-house provision - and it has overseen all the procedures and acts for the realization of the "Similar control"; the Law Firm assists mixed public / private companies that provide services in the waste sector, at the same time, it supports private companies in view of obtaining (and maintaining) pre-qualification requirements (registration of environmental managers, SOA, EMAS). The Law Firm supports and accompanies the Proponents in the procedures for the issue of environmental authorizations of regional competence (VAS, VIA, AIA, AUA), elaborating and revising documents, participating in service conferences and public hearings.

PRACTICE AREAS  
PROCUREMENT AND  
CONTRACTUAL DOCUMENTATION  
GOVERNED BY PUBLIC LAWS



The Law Firm over the years gained considerable experience in the field of public contracts, carrying out extrajudicial and judicial assistance in favor of individuals, public administrations and public-private mixed companies.

The Law Firm assists important companies operating in the sectors of public works contracts, services and supplies.

A consolidated area of operation is that of public procurement of supply services in the environmental field. The Law Firm provides legal support to leading companies active in both environmental services (collection and treatment of urban waste, industrial and hospital, water treatment, cleaning, management of waste-to-energy plants, landfill management, leading groups active at European level) and in the design, construction and marketing of related equipment.

More generally, the Law Firm constantly deals with the most widespread sectors of public contracts, for service and supply contracts in the field of ICT( information communication technology), restaurant services and phonotranscription services. The Law Firm has a consolidated experience in assisting public administrations in public contracts, in the administrative phase and in the eventual judicial phase, supporting institutions throughout the contract: from the initial phase of preparation of the tender documents, to the subsequent insolvency procedure, which culminates in the award, up to the management and termination of the contractual relationship. In this area, the Law Firm acquired over the years a broad knowledge of public procurement of health services and supplies, providing its assistance to

both Local Health Authorities and Regional Administrations and in particular in the innovative experience of the so-called centralized contracts, supporting the offices in the management of these contracts. In particular, the Law Firm effectively supported a regional administration, despite the difficulties due to an important indebtedness, in public procedures, also managed through a central regional purchasing for the purchase of goods and services on behalf of local health companies , achieving significant cost savings.

The Law Firm oversaw the public procurement procedure for the assignment of the global service of the entire real estate assets (about 50 million euros), of an important public body with the functions of a single advisor.

Over the last few years, our office is working on the energy efficiency of public real estate assets, supporting the National Association of Italian Municipalities (ANCI), identified by the Government as the executor of some interventions resulting from the implementation of the Interregional Operational Program "Renewable energy and energy saving" 2007/2013, in the outsourcing of the related services, managing all the resulting public procedures.

The Law Firm traditionally supports local administrations in the management of public services. Among the most significant experiences, mention should be made of the collaboration with an important municipality for the establishment of a public multi-utility with an instrumental company of the regional network for the stabilization of former workers and for the professional reintegration of 250 workers. The Law Firm also provided assistance to a local body in the privatization (public-private mixed company) of an institution that owns a

large r.s.a. (assisted health residence) and supported as sole advisor, the procedure for the disposal of part of the capital of a public multi-utility company, with a pool of about 50,000 users.

Still on the subject of local public services, in the last five years particularly important was the assistance in the judicial field provided to a large municipality in central Italy, in the public procedure for the gas distribution service. The story is part of the debated and well-known question of the possibility of calling the cds. gas tenders pending the establishment of territorial areas, on the basis of which future tenders will have to be announced.

PRACTICE AREAS  
ADMINISTRATIVE LITIGATION



The Law Firm has a consolidated professional experience in administrative law, in which it has been operating for more than 20 years, assisting municipal administrations (about 40), provincial capitals, provinces, central authorities and regional administrations. In addition to the activities described above, relating to specific sectors of environmental and energy law, territorial governance and public contracts, the Law Firm assisted both public and private bodies in the various phases of the administrative procedure involving them. The activity carried out in this specific sector arises from the need to balance the opposing interests, both public and private, in the administrative action and is divided into consultancy services and judicial assistance on all matters relating to the legitimacy of the work of the Public Administration (In respect of professional ethics, the Law Firm does not provide in this case, and for the personal nature of the interests involved, the names of its clients).

The Law Firm carries out consultancy activities on behalf of many companies in the regional administrative network, among the most significant recent issues faced by the Firm there is the support in the process of reorganizing and rationalizing the regional investments (liquidation, transformation and merger by incorporation of more than 20 companies) and that for the redefinition of the POR "Cultural Attractors".

PRACTICE AREAS  
TLC, HEALTH ECC.



The activity of the Law Firm also extends to areas related to those previously described, including electoral law (it should be noted the experience in the jurisdictional case for the recognition of the principle of c.d. pink shares in the composition of the members), tax liability and local public transport (through collaboration with an important Lombard municipality for updating the local public transport plan).

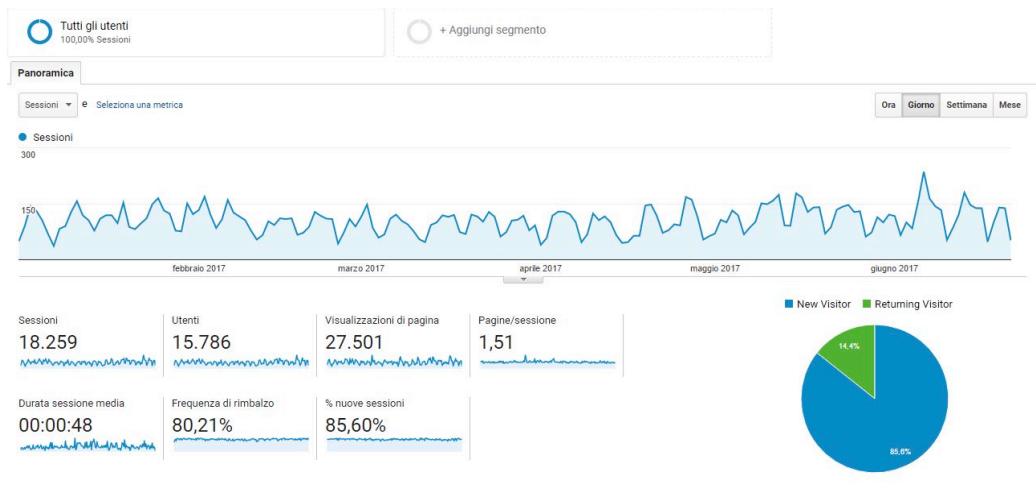
Among the issues related to land management, we highlight those concerning civic uses, and the related agrarian communities, the emphyteusis and the assimilated figures. This is a niche sector, relating to legal institutions dating back in time, but still widespread and relevant, whose problems continue to involve local administrations or private individuals. The mandates are constantly given to these offices in these areas.

# POSITION ON THE MARKET AND WEB



With an unconventional strategy, if compared to its competitors, the Law Firm attacked the web market by creating and managing one of the first show-window among the Italian Law Firms. With all the keywords of administrative law (construction, urban planning, environment, waste, land reclamation, environmental authorizations, contracts, public contracts, etc.) [www.studiolegalesantiapichi.it](http://www.studiolegalesantiapichi.it) always appears among the top positions.

In the first half of 2017, the Studio's website exceeded 27,000 views, with over 15,000 users.



This result was achieved by using the SEO and creating a platform open to the discussion with the potential client and inserting - with periodic cadence - news and information aimed at bringing new subjects closer.

Recently, the Firm launched a newsletter for its contacts (about 3000) which is enjoying great success.

## LEGAL NOTES

The undersigned, Avv. Xavier Santiapichi, as Legal Representative of the Law Firm Santiapichi, Association of Professionals, declares that the above is made pursuant to and for the effects of the d.p.r. 445/2000.

The undersigned authorizes the processing of personal data, according to the provisions of D.lgs. n. 196/03.

## CONTACTS

OFFICE VIA ANTONIO BERTOLONI 44/46  
00197 - ROMA

PHONE 06.80693185 - 06.80692593

FAX 06.8082008

WEB [www.studiolegalesantiapichi.it](http://www.studiolegalesantiapichi.it)

EMAIL [info@santiapichi.it](mailto:info@santiapichi.it)