Procurement procedure

Development Support

of COMMON CODES GmbH (COMMON CODES)

Award number: EINCC-256

Part A: Tender requirements

Table of contents

1. Subject of the procurement procedure ... 3
2. Contracting authority ... 4
3. Type of award ... 4
4. Tender documents ... 5
5. Provision of tender documents ... 5
6. Questions about the documents ... 5
7. Procedure ... 6
   7.1 General structure ... 6
   7.2 Provisional procedure schedule ... 6
   7.3 Changes to the procedure ... 7
8. Contents of the offer ... 7
   8.1 Contents of the offer in detail ... 8
   8.2 Contract and tender documents; illegality of changes ... 8
   8.3 Binding nature of the bid ... 9
9. Submission of bids ... 9
10. Deadline for submitting bids ... 10
11. Binding period ... 10
12. Execution period ... 10
13. Bidder information in accordance with Section 134 GWB ... 10
14. Bidding consortium ... 10
15. Contact person in case of bidding consortia ... 11
16. Use of subcontractors (§ 36 VgV) ... 11
17. Borrowing of suitability (§ 47 VgV) ... 11
18. Alternative bids and multiple main bids ... 12
19. Costs for preparing the bid ... 12
20. Evaluation of bids/award criteria ... 12
21. Confidentiality ... 12
   21.1. General ... 12
   21.2. Documents ... 13
22. Award of contract ... 13
   22.1. Financial requirements ... 13
   22.2. Award criteria and their weighting ... 14
23. Exclusion from the procedure ... 14
24. Validity of technical standards ... 14
25. Public Procurement Tribunal ... 14

1. Subject of the procurement procedure

COMMON CODES GmbH (Common Codes or hereinafter also “the Client”) intends to conclude a framework agreement with up to three contractors for software development support services for Germany’s national European Digital Identity Wallet (EUDI Wallet) and its associated EUDI Wallet ecosystem. This document describes the procedural and submission requirements for the procurement procedure.

The EUDI Wallet is an initiative of the European Commission that will provide EU citizens, residents and businesses with a digital identity and a personal digital wallet. It allows them to prove their identity securely and easily when accessing digital services. The wallet app enables users to securely receive, store and share digital documents and credentials, and to sign documents electronically or to seal them. For example, it is intended to make it possible to provide the documents required for opening a new bank account, enrolling at a university abroad or applying for a job. Privacy must be protected at all times; the person concerned must be able to control which data is shared and who has access to it.

Regulation (EU) No 910/2014 as amended by Regulation (EU) 2024/1183 (eIDAS 2.0) enables the digital transformation of the public sector and ensures that more services are accessible digitally, including across borders. For businesses, it will be easier to offer online services throughout Europe, as the EUDI Wallet provides secure authentication and is available to every potential customer in the EU. Each Member State provides at least one version of the EUDI Wallet, built on the same common specifications.

On behalf of the Federal Ministry for Digital Affairs and State Modernisation (BMDS), Common Codes carries out the project “EUDI Wallet Infrastructure” and, as part of this assignment, develops the national EUDI Wallet for Germany (d-you) and its ecosystem components.

With this tender, the Client establishes a framework agreement for hands-on development support. The Client seeks specialists with proven, practical experience in the roles described in this Service Description, who support the Client in delivering specific service modules. The tender is not aimed at the delivery of a complete product by an external party.

The framework contract runs for 2 years after tender conclusion. The Client may extend the Framework Agreement twice, in each case by one additional year. The estimated contract

value is 3.960.000 EUR net. This amount relates to the contract term including extension options. Considering a potential four-year service period, a total maximum contract value of 4.752.000 EUR applies.

The contractor (whether a group of companies or a single company) must have its head office within the European Economic Area (EEA).

Further information on the scope of services can be found in the service description (Part B of the tender documentation).

2. Contracting authority

The contracting authority (hereinafter also called "**Client**") is:

Common Codes GmbH
Zionskirchstr. 73a
10119 Berlin

Contact person for this procurement procedure is:

common.codes.ausschreibungen@fgvw.de

All questions relating to this contract award must be submitted in writing and exclusively to the contracting authority via the German contract award portal (DTVP) mentioned below. Enquiries to other bodies cannot be answered. Only in the event of malfunctions of the DTVP may you send a message directly to the contracting authority at the above-mentioned email address (see also section 6 below).
Please ask any questions without delay. If the answers to the questions are relevant to all companies[1] , the information will be made available via DTVP.
For reasons of equal treatment of companies, questions about the award procedure will only be answered in text form and anonymously to all companies via the DTVP.

3. Type of award

The Client is conducting an "open procedure" in accordance with Section 14 (1) of the Regulation on the Award of Public Contracts (Vergabeverordnung – VgV).In the current procedure, companies are requested to submit a binding offer for the provision of the services advertised.

[1] Companies are those companies that are interested in this tender.

4. Tender documents

The tender documents provided consist of:

Part A	- Tender requirements - Appendix 01_Self-declarations and evidence - Appendix 02_Bidder Consortium Declaration - Appendix 03_Declaration on Subcontracting and Borrowing of Qualifications - Appendix 04_Declaration of Commitment by Other Companies - Appendix 05_Declaration of grounds for exclusion only for subcontracts and borrowing of qualifications
Part B	- Service description
Part C	- Award criteria - Appendix 01_Sample evaluation matrix
Part D	- Contract - Appendix 01_Price sheet - Appendix 02_Role profile template
Part E	- Information on the GDPR

5. Provision of tender documents

The Client provides the tender documents free of charge, without restriction, in full and for download on the electronic tender platform DTVP, cf. § 41 (1) VgV.

All additions and changes to the tender documents will be provided by the Client exclusively on this platform. It is the responsibility of the company to ensure that it has the complete tender documents reflecting the current status of the procedure at all times during the tendering process.

The defense that outdated tender documents were used as the basis for the company's own bid is inadmissible.

6. Questions about the documents

If you have any questions about the procedure or the tender documents, please ask them as early as possible. This is the only way to ensure that your questions can be read and answered by the contracting authority in a timely manner. Questions about the procedure and all communication between the parties involved and the contracting authority will be handled exclusively via DTVP at http://www.dtvp.de. Companies must register at the above link, but the tender documents are accessible without prior registration in accordance with legal requirements. Companies are required to regularly check the DTVP mailbox for messages from the Client. By participating in this procedure, you agree that communication between the contracting authority and you will take place electronically via this DTVP account and within the project rooms created for each contract award. Messages received there are therefore deemed to have been received by you.

Your questions must be submitted immediately after determination

by no later than 18 December 2026 at 10:00 a.m. (CET)

(the time of receipt of your email/message by the DTVP is decisive). Later questions, up to the expiry of the tender deadline, are not excluded, but companies are not entitled to a response.

Questions received from companies will not be answered directly by the Client to the questioners (e.g., by email).

Questions from companies and information from the Client will only be made available in anonymized form via the DTVP. Therefore, please ensure that your questions can be published anonymously to all companies. When submitting your question, please specify exactly which document and which section your question refers to. If questions are unclear or too vague, they cannot be answered and further inquiries may be necessary, which will lead to delays. This should be avoided.

If the documents or other information provided to the company contain ambiguities or, in the company's opinion, violate applicable law, the company is obliged to notify the Client immediately. Otherwise, it cannot invoke the ambiguity or legal violation. The company must accept any remaining ambiguities as risks to be borne by it and take them into account in its bid. In order to ensure a reasonable processing period for the tender documents for the companies, formal and content-related questions regarding the tender documents can generally only be answered if they are submitted within the specified deadlines.
Additions or adjustments to the tender documents, even if only to a minor extent, cannot be completely ruled out until this date.

7. Procedure

7.1 General structure

A Europe-wide open procedure in accordance with the VgV will be carried out.

7.2 Provisional procedure schedule

The following schedule is currently planned for the award procedure:

Description	Date	German Time
Questions from the Bidder received no later than	18 December 2026	10.00 a.m.

Deadline for submission of bids no later than	**29 December 2026**	**10.00 a.m.**
Award information in accordance with Section 134 GWB in electronic form on	Mid of January 2027	
Award of the contract at the earliest on	End of January 2027	
End of binding period on	31 March 2027	
Start of service, in consultation with the Client, at the earliest from	End of January 2027	

7.3 Changes to the procedure

The schedule in section 7.2 reflects the Client's **current planning status** and is only indicative. The Client reserves the right to change the schedule at any time if necessary. Companies will be informed of any changes in good time.

8. Contents of the offer

The offers basically have to contain the documents from the table below. The documents explicitly marked with ** only have to be handed in, if bidding consortia or subcontractors are part of the offer.

All documents in the table below must be completed, uploaded as a bid, and also become part of the contract. If an optional profile is not offered with the bid, the Bidder uploads an empty role profile template.

Tender document	**Designation**
Part A	
Appendix 01	Self-declarations and evidence with the corresponding appendices
	In the case of a bidding consortium:
Appendix 02	Bidder consortium declaration **The signatures of all members of the Bidder consortium are required here**
	Only if subcontractors are used:
Appendix 03	Declaration of Subcontracting and Borrowing of Qualifications
	Only in the case of borrowing of suitability:
Appendix 03	Declaration of Subcontracting and Borrowing of Qualifications
Appendix 04	Declaration of Commitment by Other Companies Note: **The signature of the other company is required here**.

Appendix 05	Declaration of Grounds for Exclusion Note: **The signature of the other company is required here**
Part D	
Appendix 01	Price sheet
Appendix 02	Role profile template (6 for mandatory and 8 for optional roles)

The content of the offer is specified in detail under sections 8.

The bid must be prepared using the forms provided by the Client.

8.1 Contents of the offer in detail

The offer covers the contents as specified in clause 8.

8.2 Contract and tender documents; illegality of changes

The framework agreement (referred to as the “Contract” in the tender documents; Part D_Contract) must form the basis of the bid without any changes.

Additions or changes to the contract text or the tender documents as a whole are not permitted. Only the German version is legally binding and is decisive when the contract is awarded.

Therefore, do not attach any documents in which you formulate specific assumptions on the basis of which you are submitting your bid. All of the tender documents provided by the Client will form the basis of the contract if you submit your bid and will be decisive if the contract is awarded. Do not make any additions to the price sheet and please ensure that you do not include any information in concept that deviates from or changes the tender documents, such as the service description.

Before submitting your bid, please check carefully whether your general terms and conditions have been routinely attached and, if so, remove them from the tender documents.

By submitting a bid, the Bidder agrees to accept the priority of all clauses and conditions included by the Client in the tender documents, including the contract

and declares that, apart from the bid contents submitted and required by the Client, no other contents, such as those from your own general terms and conditions, will be included in the bid.

The contract will be signed for documentation purposes after the contract has been awarded. However, the contract becomes binding as soon as the award letter is received. The award letter will be made available on the DTVP procurement platform.

8.3 Binding nature of the bid

Insofar as parts of the tender documents to be completed by the company must be signed and stamped with the company stamp, the following applies in principle to electronic bids submitted in text form:
Instead of the original signature and company stamp, only the name of the natural person making the declaration must be provided when querying the platform.
Please also note the information on signatures in section 8.1 of the table.
The contract is concluded upon receipt of the award letter by electronic means via DTVP. The entire set of tender documents become part of the contract and are recognized as legally binding by the companies when they submit their bids electronically.

German law shall apply. The German version of the contract shall prevail.

9. Submission of bids

Please note that since October 18, 2018 (§ 81 VgV in conjunction with § 53 (1) VgV), the Client is no longer permitted to accept bids in paper form! Bids submitted in this form must be excluded from the competition!

Bids may only be submitted via the DTVP electronic tendering platform in the relevant project room.

Information on uploading your bid data can be found here:

https://support.cosinex.de/unternehmen/display/company/E-Vergabe+-+English+Instructions

Please familiarize yourself with the DTVP function for submitting bid documents in good time. The bid must be uploaded in good time before the deadline for submission of bids (see deadlines announcement). Please note that file attachments may only be uploaded up to a certain size. In the event of DTVP malfunctions, the company must immediately contact the platform operator's support team and, at the same time, inform the Client's contact person, if possible via DTVP, otherwise via email. If such notification is not made immediately, a company cannot invoke a delay in the submission of its bid for which it is not responsible.
The bid must be written in English.
The bid documents must be submitted in electronic form in the Office or Adobe formats originally provided to the companies.

By submitting the bid, the Bidder fully accepts all tender documents (see point 4 above) as legally binding.

10. Deadline for submitting bids

Your bid must be submitted with all the required declarations and supporting documents (if required) by no later than:

29 December 2026 at 10:00 a.m. (German time),

at the URL specified in section 9.

Please note that the electronic transmission process also takes a certain amount of time (depending on the Bidder's IT structure) and that you should upload your bid data in good time. The company is responsible for providing proof that the bid has been received by the contracting authority in good time. Bids can be changed or withdrawn electronically until the deadline for submission of bids. After the deadline for submitting bids has expired, no more bids can be uploaded and bids that have already been uploaded cannot be changed or withdrawn. An extension of the bid submission deadline may only be considered if, for technical reasons for which the Client is responsible, it is not possible for companies to submit their bids (upload) in time. Companies must notify the Client of any such technical malfunction without delay. Companies or their authorized representatives are not permitted to participate in the opening of bids.

11. Binding period

Bidders are bound by their bids until 31 March 2027.

12. Execution period

Contract preparation shall commence at the time the contract is awarded (contract award).

13. Bidder information in accordance with Section 134 GWB

The Client will inform the unsuccessful bidders in electronic form no later than 10 calendar days before the conclusion of the contract of the name of the Bidder whose bid is to be accepted and the reasons for the intended rejection, as well as the earliest date of conclusion of the contract.

14. Bidding consortium

A bidding consortium that is permissible under public procurement and antitrust law must submit a declaration signed by all members in accordance with the form Bidding Consortium Declaration with its bid. The subsequent formation of bidding consortia and subsequent changes to the composition of a bidding consortium are not permitted.

15. Contact person in case of bidding consortia

Bidding consortia must name a single contact person in Part A_Appendix 02 in the field "Leading member" who can make binding statements on behalf of the bidding consortium, e.g., in the context of clarification discussions.

16. Use of subcontractors (§ 36 VgV)

When subcontractors are used in the execution of the contract, the same requirements, obligations to provide evidence, and specifications apply as for the contractor's own personnel. If subcontractors are to be used, the form Appendix 03 Declaration on Subcontracting and Borrowing of Qualifications must be completed accordingly and submitted with the bid. The company details (name and address) of the subcontractor can be provided at this stage, but do not have to be included with the tender submission. These details must then be provided at the latest upon request by the Client after the tender has been submitted. The forms Appendix 05 Declaration of grounds for exclusion for subcontracts and borrowing of suitability and Appendix 04 Declaration of commitment by other companies can be submitted with the tender, but do not have to be. These must then be submitted at the latest upon request by the Client after the bid has been submitted, signed by the respective subcontractor. Reference is made to § 36 VgV.

17. Borrowing of suitability (§ 47 VgV)

Companies may make use of the capacities of other companies with regard to the required economic and financial as well as technical and professional performance if they can prove that the resources required for the contract will actually be available to them by submitting a corresponding declaration of commitment from these companies. This option is available regardless of the legal nature of the links between the company and the other companies. Please note that affiliated companies are also considered as other companies. If, for example, the Bidder subsidiary refers to the references of the parent company, this constitutes a transfer of suitability, and the corresponding forms must be completed, signed, and submitted. However, companies may only use the capacities of other companies to provide evidence of the required professional performance, such as training and qualification certificates in accordance with Section 46 (3) No. 6 VgV or relevant professional experience, if these companies provide the services for which these capacities are required. If, for example, the Bidder **refers** to **the references of another company** in order to demonstrate its suitability, this other company must also provide the corresponding services and is therefore also a subcontractor. In this case, the forms for borrowing suitability and subcontractors must be submitted because the other company is both the lender of suitability and the subcontractor in this case.

As part of the suitability assessment, the Client checks whether the companies whose capacities the company (Bidder) intends to use to fulfill certain suitability criteria meet the relevant suitability criteria and whether there are any grounds for exclusion. If companies submit a European Single Procurement Document in accordance with Section 50 VgV, this must also contain the information required for the review in accordance with the above sentence.
The Client stipulates that the company (Bidder) must replace any company that does not meet the relevant suitability criteria or for which there are compelling grounds for exclusion under Section 123 GWB and/or Section 124 GWB. The Client shall set a deadline for this. If the company (Bidder) makes use of the capacities of another company with regard to the required economic and financial performance, the Client shall require joint liability of the company (Bidder) and the other company for the execution of the contract in accordance with the scope of the suitability loan. If suitability is borrowed, the form Appendix 03 Declaration of Subcontracts and Borrowing of Suitability must be completed accordingly and submitted with the bid. Forms Appendix 05 Declaration of grounds for exclusion for subcontracts and borrowing of suitability and Appendix 04 Declaration of commitment by other companies must also be submitted with the bid, signed by the respective other company in each case.

18. Alternative bids and multiple main bids

Multiple main bids and alternative bids are not permitted.

19. Costs for preparing the bid

No costs will be reimbursed for the preparation of the bid or for participation in the award procedure as a whole.

20. Evaluation of bids/award criteria

The award criteria, i.e., the criteria used to evaluate your bid and on the basis of which the decision will be made as to which bid or bids are the most economically advantageous, are defined in the document Part C_Award criteria.

21. Confidentiality

21.1. General

The Client guarantees that bids will be treated as strictly confidential.
The information requested in the course of this tender (in particular in the course of the suitability test) is required by the Client for the evaluation of submitted bids. The Client therefore has a legitimate interest in the provision of the requested data, as otherwise the suitability of a Bidder for this contract cannot be assessed. If, based on the information and evidence required in the tender, the company is required, e.g. under the GDPR, to obtain consent for the transfer

of third-party personal data (e.g. contact details of reference customers, or certificates, training or education records of the Bidder's employees, etc.), the company must obtain the relevant consent in advance. If reference customers or employees refuse to give their consent to the transfer of data, the company may not transfer the relevant data to the Client. The Client's requirements within the scope of the tender remain unaffected by this.
The Client will use the transmitted data exclusively for the purpose of reviewing and evaluating bids. The Client is entitled to engage legal advisors and other experts to review and evaluate the bids. These persons are also bound to confidentiality, unless they are already bound to confidentiality under professional law. The data provided in the context of the bid submission will be permanently deleted in accordance with the statutory retention periods applicable to the Client or the relevant legal advisors and experts. Documents provided to the Bidder in connection with the award procedure may not be used for other purposes, reproduced, or made available to third parties without the consent of the Client. The personnel employed by the company must be bound to maintain confidentiality. The same applies to any consultants employed by the company.

21.2. Documents

Bidders who have not been awarded the contract must irretrievably delete or destroy the documents made available to them in the course of the award procedure after the expiry of any appeal periods.
All documents relating to the request for bids must be treated as confidential and may only be used for the preparation of the bid. Any publication (including excerpts) or disclosure to third parties is not permitted without the express permission of the tendering authority. After the end of the bidding phase, the Bidder must maintain confidentiality regarding any internal information of the Client that has become known to them.
If a bid is not submitted, the complete tender documentation must be destroyed or the corresponding files permanently deleted.

22. Award of contract

22.1. Financial requirements

The prices quoted in your bid, Part D Price Sheet, must include all transport, material, personnel, and ancillary costs. The corresponding prices must be entered in full and completely, exclusively in the Client's forms.
All prices must be quoted without VAT (net) in EUR.

22.2. Award criteria and their weighting

The contract will be awarded to the most economically advantageous bid. The most economically advantageous bid will be determined exclusively on the basis of the criteria and weightings specified in the evaluation criteria form (Part C of the tender documentation).

23. Exclusion from the procedure

Bids from bidders who participate or have participated in an inadmissible restriction of competition in connection with this tendering procedure will be excluded. Bids that do not contain the information and declarations required in this document may be excluded. The Client reserves the right to request bidders to complete their bids in accordance with Section 56 of the German Regulation on Public Procurement (VgV). However, bidders cannot rely on being given the opportunity to complete their bids under any circumstances.

24. Validity of technical standards

If the tender documents contain statements regarding DIN standards or necessary national certifications or approvals, these shall be understood to include comparable EU standards, certifications, and approvals, even if this is not explicitly stated in the text of the tender itself. Proof of equivalence must be provided by the Bidder immediately upon request by the Client, i.e., no later than 6 calendar days after the request. If requirements in this tender based on national standards and certifications for which no comparable EU standards and certifications exist lead to discrimination against domestic or foreign applicants, compliance with such requirements will not be demanded or evaluated.

Companies must notify the contracting authority in writing of such requirements and the resulting discrimination against their company immediately after becoming aware of them and explain the discriminatory effect of the respective requirement on their own competitive situation.

25. Public Procurement Tribunal

The

Federal Public Procurement Tribunal
Kaiser-Friedrich-Straße 16
53113 Bonn
Fax: 0228/9499-163

is responsible for reviewing alleged violations of public procurement law. Please note that the proceedings before the Public Procurement Tribunal are subject to a fee for the losing party.

By submitting my/our bid, I/we fully accept these application conditions and all requirements arising from the tender documents as a whole.