

Information regarding the collection of personal data pursuant to Articles 13 and 14 of Regulation (EU) 2016/679 of 27 April 2016 – General Data Protection Regulation (GDPR)

SPRIND GmbH takes the protection of your personal data very seriously. As a matter of principle, SPRIND GmbH maintains confidentiality regarding official matters that come to its attention in the course of its duties.

SPRIND GmbH processes your data in connection with the award procedure.

With this data protection information, SPRIND GmbH would like to inform you about the processing of your data in accordance with Article 13 GDPR.

1. Name and contact details of the person responsible for processing personal data:

SPRIND GmbH , Lagerhofstr. 4, 04103 Leipzig Geschäftsführung: Frau Berit Dannenberg und Herr Rafael Laguna de la Vera, vergabe@sprind.org

2. Contact details of the data protection officer:

SPRIND GmbH , Lagerhofstr. 4, 04103 Leipzig, datenschutz@sprind.org

3. Purpose and legal basis for the processing of personal data:

3a) Purpose of processing:

Conducting a procurement procedure

3b) Legal basis:

Article 6(1)(c) in conjunction with Article 6(3) GDPR and Sections 97 et seq. of the Act against Restraints of Competition

4. Recipients of personal data:

The contracting authority is obliged under Section 19(4) of the Minimum Wage Act, Section 21(4) of the Posted Workers Act and Section 21(1) of the Act to Combat Illegal Employment, to request information from the Central Trade Register pursuant to Section 150a of the Trade Regulation Act for contracts worth €30,000 or more excluding VAT for the bidder who is to be awarded the contract before the contract is awarded.

Pursuant to Section 134 (1) of the Act against Restraints of Competition, the contracting authority shall immediately inform the bidders whose bids are not to be considered in writing of the name of the company whose bid is to be accepted, the reasons for the intended rejection of their bid and the earliest date on which the contract will be concluded. This also applies to applicants who have not been provided with any information about the rejection of their application before the notification of the award decision has been sent to the bidders concerned.

Pursuant to Section 62(1) sentence 1 of the Public Procurement Ordinance, the contracting authority shall immediately notify each candidate and each bidder of its decisions on the conclusion of a framework agreement, the award of a contract or admission to participate in a dynamic purchasing system.

According to Section 62(2)(3) of the Public Procurement Ordinance, the contracting authority shall, at the request of the bidder, inform each bidder without delay, at the latest within 15 days of receipt of the request in text form pursuant to Section 126b of the Civil Code, of the characteristics and advantages of the successful tender and the name of the successful bidder.

According to Section 39 (1) of the Public Procurement Ordinance, the contracting authority shall send a contract award notice with the results of the procurement procedure to the Publications Office of the European Union no later than 30 days after the award of a public contract or the conclusion of a framework agreement. The name and address of the economic operator to whom the contract was awarded shall also be published here.

If a review procedure is initiated before the Public Procurement Tribunal, the contracting authority must immediately make the award documents available to the Tribunal in accordance with Section 163 (2) sentence 4 of the Act against Restraints of Competition. This also applies to the immediate appeal procedure before the competent Higher Regional Court in accordance with Section 171 GWB. In these proceedings, personal data may also be passed on to other parties involved in the proceedings.

5. Criteria for determining the duration of storage of personal data:

The benchmark for the duration of the storage of personal data is the retention periods under budgetary law or Section 8 (4) of the Public Procurement Ordinance.

6. Rights of the data subject:

Right to information:

There is a right to information about the personal data processed by the contracting authority.

Right to rectification:

You have the right to rectification if the information relating to the applicant/tenderer is no longer accurate. Incomplete data can be completed.

Right to erasure:

There is a fundamental right to have personal data deleted. However, this right depends, among other things, on whether the data is still required for the fulfilment of tasks (see also Duration of storage).

Right to restriction of processing:

You have the right to request a restriction on the processing of the applicant's/bidder's data.

Right to object:

You have the right to object to the processing of data concerning you on grounds relating to your particular situation, unless there is an overriding public interest or legal requirement that prevents this.

7. Right to lodge a complaint with the data protection supervisory authority:

The competent data protection supervisory authority is:

Bundesbeauftragte für den Datenschutz und Informationsfreiheit
Graurheindorfer Straße 153
53117 Bonn

Any complaints should be addressed to this authority if the authority providing the information has not fulfilled its obligations or has not fulfilled them in full.

There is no obligation on the part of the controller to provide information regarding the collection of personal data from third parties (e.g. proof of suitability of third parties) in accordance with Article 14(5)(c) of the General Data Protection Regulation. Data collection is expressly regulated within the framework of the procurement procedure, which provides for the confidential treatment of data in order to protect the interests of the persons concerned (Sections 97 et seq. of the Act against Restraints of Competition, Sections 5, 8 of the Procurement Ordinance).

Further information can be found on the official website of SPRIND GmbH at www.sprind.org and on the official website of the data protection supervisory authority at https://www.bfdi.bund.de/DE/Home/home_node.html.