

Conditions of tender for the award of services

This award procedure shall take place in accordance with the 'Regulation on the Award of Public Supply and Service Contracts Below the EU Thresholds', (Regulation on Sub-threshold Procurement – UVgO).

1 Notification of ambiguities in the tender documents

If, in the opinion of the company, the tender documents contain ambiguities, incompleteness or errors, it shall immediately draw the attention of the contracting authority to this in text form before submitting a tender.

2 Unlawful restrictions of competition

Tenders from tenderers who engage in any unlawful restriction of competition in connection with this procurement procedure shall be excluded.

To eliminate restrictions of competition, the tenderer shall, upon request, provide information on whether and in what way it is economically and legally affiliated with companies.

3 Tender

3.1 The tender shall be drawn up in German.

3.2 The tender must be submitted using the forms provided by the contracting authority. The tender must be submitted by the deadline specified by the contracting authority. Any tender not submitted in due form or time will be excluded.

3.3 A self-made copy or abridged version of the bill of quantities is permissible.

The long version of the bill of quantities specified by the contracting authority shall be the only binding version.

3.4 Documents required by the contracting authority after submission of the tender must be submitted at the time specified by the contracting authority.

3.5 All entries must be indelible.

3.6 A tenderer who in their tender allocates the unit prices actually requested of them for individual service items to various unit prices of other service items has failed to state the prices requested of them. Therefore, tenders in which the tenderer allocates the unit prices for individual service items to other service items in 'mixed calculations' shall be excluded from the evaluation.

3.7 All prices shall be quoted in euros with a maximum of three decimal places.

The prices (unit prices, lump sum prices, billing rates etc.) shall be quoted without value added tax (VAT). The VAT amount is to be added at the end of the tender based on the applicable tax rate.

Only price discounts will be evaluated that

- are granted unconditionally as a percentage of the invoice amount

and

- are shown at the designated point in the Letter of Tender.

Price discounts that are not to be evaluated shall remain part of the tender and shall become part of the contract in the event of the contract being awarded.

4 Variant tenders

4.1 Insofar as minimum requirements are stipulated for variant tenders, these must be fulfilled; otherwise, they must be qualitatively and quantitatively equivalent in relation to the Terms of Reference. Fulfilment of the minimum requirements or equivalence must be proven with the submission of the tender.

4.2 The tenderer shall clearly and exhaustively describe the services included in variant tenders; the structure of the bill of quantities shall be retained as far as possible.

Variant tenders must include all services required for the proper execution of the service.

Insofar as the tenderer offers a service whose execution is not stipulated in the tender documents, they must provide corresponding information on the execution and nature of this service in the tender.

4.3 If variant tenders influence (change, replace, omit, additionally require) partial services (items) of the bill of quantities, they shall be broken down by quantities and individual prices (also in the case of remuneration by lump sum).

4.4 Variant tenders that do not comply with items 4.1 to 4.3 will be excluded from the evaluation.

5 Tendering consortia

5.1 The tendering consortium shall submit with its tender a declaration of all members in text form

- stating that a consortium will be formed if the contract is awarded,
- listing all members and designating the representative authorised to execute the contract,
- stating that the authorised representative legally represents the members vis-à-vis the contracting authority,
- stating that all members are jointly and severally liable.

Upon request by the contracting authority, a declaration shall be submitted that is signed by all members or contains their advanced signatures or qualified signatures.

5.2 If no public invitation to tender has been issued, tenders from tendering consortia formed from invited contractors only after the invitation to tender has been issued shall not be admitted.

6 Suitability

As preliminary evidence of suitability for the service to be awarded, companies shall submit the following with their tender:

- **Either the** completed 'Self-declaration of suitability for supplies / services'
- **Or** a European Single Procurement Document (ESPD)

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If the tender is shortlisted, the self-declarations must be endorsed upon separate request by submitting the certificates of competent bodies mentioned in the "Self-declaration of suitability" or in the ESPD. Certificates that are not in German must be accompanied by a translation into German.

Alternatively, proof can also be provided by entry in an official register (e.g. the PQ register set up by the Chamber of Industry and Commerce) or by presentation of a certificate in compliance with the European certification standards.