GSI Helmholtzzentrum für Schwerionenforschung GmbH
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Intended to remain with candidate/bidder, not to be returned with the participation application or tender!

A Note on Gender:

For reasons of readability, the language forms male, female and diverse (m/f/d) are not used concurrently. All gender markings and pronouns apply equally to all genders

To All Bidders

Special Application Requirements for the Open Procedure According to § 15 VgV [transl.: Ordinance on the Award of Public Contracts (Procurement Ordinance)]

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To Whom It May Concern,

GSI Helmholtzzentrum für Schwerionenforschung GmbH (hereinafter referred to as "GSI", "Awarding Authority" or "Client") conducts an open procedure according to § 15 VgV [transl.: Ordinance on the Award of Public Contracts (Procurement Ordinance)], § 119 para. 3 GWB [transl.: Act against Restraints of Competition] for the tender **42/2600042901 - production of Alvarez 2.0 inner tank sections Power Converters for GSI** under the following conditions:

Notification of Ambiguities in the Tender Documents

After receiving the tender documents, Bidder must check them for completeness. If the tender documents are incomplete or if they contain ambiguities in Bidder's opinion, Bidder must immediately inform Awarding Authority before submitting the tender via DTVP [transl.: German Awarding Platform].

NOTE: To clarify matters, Awarding Authority emphasises that the terms "Candidate", "Bidder", "Tenderer" and "Contractor" each refer to the same (legal) per-

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son. The "Bidding Consortium" and the "Tenderer Consortium" are also used synonymously; for the sake of clarity, only the term "Bidding Consortium" is used in these documents.

1. **Tender Documents and Components of the Tender**

The following forms provided by GSI together with the award documents must be completed and submitted to Awarding Authority as part of the tender:

- **02 Eignungsformblätter (DE+EN)**
- **04 Angebotsformblatt (DE+EN)**
- **04a Cost Breakdown**

The contracting authority accepts the Standard European Self-Declaration (EEE) in accordance with Section 50 of the VgV. If the contracting authority requests **additional** self-declarations beyond those required by the EEE, the bidder must submit them as supplements. These can be found in the document “GSI Eignung VgV.”

The following documents must be completed by Bidder and submitted to Awarding Authority as part of the tender:

- **evidence/certifications regarding a sustainability management system (e.g. ISO 14001)**
- **ISO 9001 (relevant for evaluation of the quality assurance concept.)**
- **production concept**
- **quality assurance concept**
- **delivery plan**
- **Explanatory Notes on the Tender**

  The bidder shall attach a document to the bid that provides a detailed explanation of the total bid price and the scope of services offered. The information required in the statement of work must be substantiated.

  - Please note that your technical explanations regarding the provision of services must not contradict the provided award and contract documents.

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Bidder shall specify all relevant **customs tariff numbers** of the services included in the tender separately. If these are not available yet, Bidder must instead inform Awarding Authority of this in the tender. Awarding Authority reserves the right to request the customs tariff numbers once only. Bidder, however, is not entitled to this. Bidder can be excluded from the procedure if Bidder fails to designate existing customs tariff numbers.

Note: Safeguard Duty on Steel Products

Referring to the Implementing Regulations (EU) 2018/1013 of the Commission on 17 July 2018 re: imposing provisional safeguard measures on certain steel products, and 2019/159 of the Commission on 31 January 2019 re: imposing definitive safeguard measures on imports of certain steel products, in particular the recitals set out in those regulations, Awarding Authority points out the following:

When submitting a tenders, Bidder shall inform Awarding Authority that both or only one of the regulations would apply in the event of an award being made. The possibility of an exempted quota is irrelevant. Should Bidder fail to do so, contrary to the obligation stipulated herein, Bidder may be excluded from the procedure. Should Awarding Authority become aware after making the award that such a breach of obligations has occurred, Awarding Authority shall be entitled, at its sole discretion and without notice, to withdraw from the contract without this giving rise to any liability claims for the contractor.

It is up to the Bidder concerned to prove that the safeguard duty provided for in the regulations is not relevant, by means of a certificate of origin when submitting a tender.

The forms provided with the tender documents must be completed in full, depending on the tender. Failure to submit or incomplete submission of the required documents, as well as deliberate misrepresentation may result in exclusion of Bidder from the competition. GSI reserves the right to request additional documents once only within a period to be determined in the subsequential request in accordance with § 56 VgV. Bidders cannot, however, rely on such a request being made. Ultimately incomplete tenders will be excluded (§ 57 para. 1 no. 2 VgV).

Bidders may not base their tender on their own contractual conditions. Changes to the tender documents (e.g. deletions or additions to the documents in spaces

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not provided explicitly for this purpose) are not permitted and will result in exclusion from further proceedings, § 57 para. 1 no. 4 VgV.

2. Deadline for Submitting Tenders

The deadline set in the contract notice for the submission of tenders must be strictly observed. Tenders received late will be excluded from the procedure, unless Bidder cannot be held responsible (§ 57 para. 1 no. 1 VgV).

3. Formal Requirements for Tenders

The only form of submission of tenders accepted by Awarding Authority is in writing, electronically.

It should be noted that in the case of electronic submission, the text form according to § 126b BGB is only observed if the tenders are transmitted in encrypted form via the awarding platform (cf. information on eVergabe). **Submitting the tender via email is not sufficient.**

In the case of incorrect/ incomplete information that violates the aforementioned formal requirements, tenders will be excluded unless Bidder cannot be held responsible (§ 57 para. 1 no. 1 VgV).

4. Communication with Bidders

Communication with Bidders takes place via the DTVP's tender platform. Questions must be sent to GSI via DTVP and will are answered via DTVP. Questions posed orally or by telephone regarding the documents or the contractual object will not be answered; answers given orally or by telephone are not binding.

5. Languages

The procedural and contractual language is German. The tender documents may be partly in German and English, specifications and technical equipment only in English in part. In the case of documents written in German and English, only the German version shall be binding; in this case, the English version shall only serve to improve comprehension of the document for foreign bidders. In case of inconsistencies between the German version and the English translation, the German original text is legally binding.

If Bidder submits a tender and includes proof of suitability in another language, German translations must also be submitted.

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6. Award Criteria/ Tender Evaluation

The award shall be made to the most economically advantageous tender. Bidders accepted for evaluation shall be evaluated on the basis of the award criteria with the corresponding weighting indicated.

In compliance with the general principles of equal treatment and transparency, Awarding Authority has determined the following award criteria: **Kindly review Document: „CSX 42 - Angebotswertungsmethoden und -kriterien.pdf“**

Award Criteria	Weighting	Score
Total Bid Offer	40 %	evaluation method, see below
Performance Criteria (PC)	60 %	evaluation method, see below

The following section explains the criteria by which the specified award criteria are evaluated:

6.1 Weighting of Award Criteria

The evaluation is based on the price-quotient method. Price and performance are assigned the weighting factors (see above). The Price-Quotient-Method can be shown as follows:

$$Z = G(\text{Performance}) * L(\text{Tender}) + G(\text{Price}) * \frac{L(\text{best}) * P(\text{lowest})}{P(\text{Tender})}$$

The individual components of the formula are specified as follows:

Z(Tender) = Weighted score for price/performance evaluation of the evaluable tender

G(Performance) = Weighting factor for the performance criteria of the evaluable tender according to the above chart

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L(Tender) = Total score of the performance criteria of the evaluable tender as reference value

G(Price) = Weighting factor for the total bid price of the evaluable tender in accordance with the above chart

L(best) = Best overall score of the performance criteria of the evaluable tenders

P(lowest) = Lowest total tender price of the evaluable tenders

P(Tender) = Total tender price of the evaluable tender

6.2 Award Criterion "Total Tender Price"

For the award criterion “Total Tender Price,” the total price listed on the Offer Form will be used for evaluation. Only the prices listed on the **Cost Breakdown** are applicable for the provision of services.

6.3 Valuation Standard for Performance Criteria

In the evaluation of the individual performance criteria, each criterion shall be evaluated on a continuous scale of 10 points for fulfilling a criterion completely, to 0 points for not fulfilling a criterion at all, as follows.

For each **required performance criterion**, questions and aspects are listed in the content specifications below that are to be developed conceptually or on the basis of technical specifications etc., depending on the criterion. The following degrees of target attainment apply to achievement of the individual point levels:

Points	Evaluation	Note
9-10	Very good	Particularly outstanding fulfilment of the performance criteria
7-8	Good	Fulfilment of performance criteria that is significantly above average despite minor deficiencies
5-6	Satisfactory	Fulfilment of performance criteria that still meet average requirements despite minor to moderate deficiencies

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3-4	Adequate	Fulfilment of the criteria that suffers from considerable deficiencies and is generally barely usable
0-2	Deficient - Inadequate	Completely useless fulfilment of the required criteria

The results of the individual performance criteria are calculated on the basis of the published weighting into a weighted total number of points that amount to the performance criteria for Bidder (see chart above). The tenders are then compared with the tenders of other Bidders and evaluated.

7. Alternative Tender, § 35 VgV

Alternative tenders are not permitted.

8. Industrial Property Rights, § 53 para. 8 VgV

If industrial property rights exist for and apply to the subject of the tender or have been applied for by Bidder or others, this must be stated under Explanatory Notes on the Tender. If Bidder is considering making information from their tender the subject of an application for an industrial property right, this must be clearly stated under Explanatory Notes on the Tender.

9. Notice for economic operators from third countries (Non-EU) that have not concluded an international agreement with the EU in the field of public procurement.

The contracting authority reserves the right to exclude economic operators from third countries that have not concluded an international agreement with the EU in the field of public procurement at any time during the procedure – even without stating reasons. This also includes bidding consortiums in which at least one such economic operator is involved. However, it does not apply to cases in which such an economic operator is planned only as a subcontractor.

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