

SOL_s_Memorandum_Teilnahmewettbewerb_en

Information Memorandum on the Selection of Eligible Bidders

This English translation is for convenience of the bidder only and it is not provided to become part of any latter contract.

SuedOstLink

SOL_s_Memorandum_Teilnahmewettbewerb_en

Table of contents

Table of contents	2
1 Preliminary remarks	4
1.1 Contract notice	4
1.2 Tender Procedure	4
1.3 Information Memorandum on the Selection of Eligible Bidders	4
2 POINT OF CONTACT AND MODE OF COMMUNICATION	4
3 CLIENTS AND SUBJECT OF THE TENDER PROCEDURE	4
3.1 Client	4
3.2 Brief description of the subject of the contract	5
4 INFORMATION ON THE TENDER PROCEDURE	5
4.1 Tender documents	5
4.2 Eligibility-related tender documents	5
4.3 Process for the selection of eligible bidders	6
4.4 Time schedule for theselection of eligible bidders	7
5 OBLIGATION TO ENQUIRE AND REGISTRATION WITH THE CLIENTS	7
5.1 Obligation to enquire	7
5.2 Registration	8
6 QUESTIONS	8
6.1 Obligation to provide information in the event of ambiguities or errors	8
6.2 Deadline for questions and requests for information	8
6.3 Answering of questions from candidates and other communications from the Client	8
7 NOTES ON THE TENDER PROCEDURE	8
7.1 Permitted languages	8
7.2 No reimbursement of costs	8
7.3 Ensuring competition	9
7.4 Storage and processing of personal data	9
8 COMPONENTS OF THE REQUEST TO PARTICIPATE IN THE TENDER PROCEDURE	9
8.1 Expression of Interest letter	9
8.2 Proof of eligibility	9
9 GENERAL REQUIREMENTS OF THE EXPRESSION OF INTEREST	9
9.1 Form of the Expression of Interest	9
9.2 Deadline for submission of Expressions of Interest	9
9.3 Handling of Expressions of Interest which are received late	10
9.4 Changes made to the Expression of Interest by the candidate	10
9.5 Entries made by the candidate and changes to these	10
9.6 Changes to the eligibility-related tender documents	10
10 SUPPLIER CONSORTIA	10

SuedOstLink

SOL_s_Memorandum_Teilnahmewettbewerb_en

10.1	Designation of an authorised representative	10
10.2	Requirements for proof of eligibility	10
11	PROOF OF ELIGIBILITY	11
11.1	Qualification and permission to exercise the profession	11
11.2	Economic and financial capability	11
11.3	Technical and professional capability	11
11.4	Minimum requirements	11
11.5	Self-declaration on the (non-)existence of grounds for exclusion; measures for self-cleaning	11
11.6	Reference to the capacity and expertise of third parties(loan of eligibility - <i>Eignungsleihe</i>)	12
11.7	Proof of eligibility, declaration on grounds for exclusion and measures for self-cleaning and the restoration of reliability	13
12	ELIGIBLE CANDIDATES	13
13	CONFIDENTIALITY	13
14	OBLIGATION TO GIVE NOTICE OF DEFECTS AND REVIEW PROCEDURE	13
14.1	Obligation to give notice of defects and time limit for filing a review request	13
14.2	Competent body for review procedures	13
15	LIST OF ANNEXES	14

1 Preliminary remarks

1.1 Contract notice

TenneT TSO GmbH and 50Hertz Transmission GmbH (hereinafter also referred to as the "Clients") have announced their intention to award the services in question throughout the EU.

1.2 Tender Procedure

The tender procedure shall take the form of a negotiated procedure with a preliminary process for the selection of eligible bidders (cf. §§ 119(5) GWB (German Act against Restraints of Competition), 13(1), 15 SektVO (German regulation on the award of public contracts by entities operating in the transport, water and energy sectors)). The Clients reserve the right to award the contract to the first offers without negotiation (§ 15(4) SektVO).

1.3 Information Memorandum on the Selection of Eligible Bidders

This Information Memorandum is a component of the documents that the Clients make available in their entirety to interested economic operators for direct retrieval without charge or restriction. It concretizes on the information on the tender procedure provided in the contract notice, including in particular specific details of the selection of eligible bidders and the requirements regarding eligibility (qualification and permission to exercise the profession, economic and financial as well as technical and professional capacity) of the candidates and/or supplier consortia. The Information Memorandum contains the forms that must be completed and submitted (**Annexes A1 to A7**).

On the basis of this Information Memorandum and the other tender documents, all interested economic operators are invited to submit an Expression of Interest pursuant to § 15(1) SektVO.

2 POINT OF CONTACT AND MODE OF COMMUNICATION

The following office is designated as the point of contact for the tender procedure:

TenneT TSO GmbH
Bernecker Straße 70
95448 Bayreuth
Contact point(s): Stephan Biallas
Email: SOL_tenderxxxxx@tennet.eu

All communication is made via Negometrix.

3 CLIENTS AND SUBJECT OF THE TENDER PROCEDURE

3.1 Client

The Clients are the transmission system operators TenneT TSO GmbH and 50Hertz Transmission GmbH. A separate two-party contract (bilateral contract) is concluded for each converter subsystem:

For the V5-B converter subsystem
TenneT TSO GmbH
Bernecker Straße 70
95448 Bayreuth, Germany

For the V5-A converter subsystem
50Hertz Transmission GmbH
Heidestr. 2
10557 Berlin

In addition, a maintenance contract is concluded for the converter subsystem V5-A (see SOL_s_Angebotsbedingungen, section 3.5.3).

3.2 Brief description of the subject of the contract

The project SuedOstLink is realised in a cooperation between 50Hertz Transmission GmbH and TenneT TSO GmbH. Both Clients award and commission separately based on this joint invitation to tender. The aim is to set up an HVDC transmission system from north to south from the Wolmirstedt grid connection point in Saxony-Anhalt to the Isar grid connection point near Landshut in Bavaria. The SuedOstLink project is legally anchored in the Federal Requirements Planning Act (BBPlG) of 2013/2015.

The HVDC connection Wolmirstedt-Isar is planned for a power transmission of 2 GW and consists mainly of the two converter stations and a DC transmission section. At the grid connection points, the converter subsystems are each connected to the existing 380 kV grid via a three-phase connection (AC).

The aim of this procedure is to award the services relating to installation of the converter systems. Precise information on the services to be tendered can be found in the service specification.

4 INFORMATION ON THE TENDER PROCEDURE

4.1 Tender documents

The tender documents include all documents that the Clients prepare or make reference to in order to define parts of the tender procedure. It includes all information necessary for interested companies to decide whether or not to participate in the tender procedure.

The documents specified in section 4.2 of this Information Memorandum made available for the tender procedure by the Clients are hereinafter referred to as **eligibility-related tender documents**.

The following tender documents for the negotiation and bidding phase are hereinafter referred to as **performance-related tender documents**.

If no distinction is made between eligibility-related and performance-related tender documents, the respective expression is valid for all tender documents.

4.2 Eligibility-related tender documents

The eligibility-related tender documents (Expression of Interest documents) consist of the following documents:

- the Expression of Interest letter,
- this description of the details of the request for interest and selection of eligible bidders (**Information Memorandum on the Selection of Eligible Bidders**), including information on bidder eligibility criteria and annexes
 - o **Form in Annex A1** "Information on the candidate/member of supplier consortium"
 - o **Form in Annex A2** "Supplier consortium"
 - o **Form in Annex A3** "Declaration of the suitability of third parties (upon awarding of contract)"
 - o **Form in Annex A4** "Qualification and permission to exercise the profession"
 - o **Form in Annex A5** "Economic and financial capability"
 - o **Form in Annex A6** "Technical and professional capability"
 - o **Form in Annex A7** "Declaration of exclusion grounds and measures for self-cleaning and reliability restoration"

Economic operators must review the tender documents for completeness without delay upon retrieval and immediately notify the Client regarding any missing documents.

Reference is made to section 13 of this Information Memorandum regarding confidential handling of these documents.

4.3 Process for the selection of eligible bidders

This process for the selection of eligible bidders will be conducted as follows:

a) Preparation and submission of the Expression of Interest

Interested economic operators are invited to prepare an Expression of Interest based on the tender documentation provided to them (see Section 4.2 of this Information Memorandum) and to submit this Expression of Interest to the Client in the required form and in a timely manner. With their Expression of Interest, they send the information requested by the Client for evaluating their eligibility.

b) Opening of Expressions of Interest

Opening of Expressions of Interest takes place immediately after expiry of the request submission deadline (cf. section 9.2 of this Information Memorandum). Candidates are not permitted entry to the opening of the Expressions of Interest.

c) Eligibility review process

The eligibility review is performed as a two-step process:

a) Formal evaluation of the Expressions of Interest

The Client evaluates the submitted Expressions of Interest first with respect to compliance with the requirements regarding form and content specified in this Information Memorandum. At the same time, the completeness and correctness of the Expressions of Interest is verified.

(1) Exclusion of Expressions of Interest

The following Expressions of Interest shall be excluded:

- those which were not received in the correct form or before expiry of the deadline, unless the candidate is not responsible for this (cf. section 9.3),
- those which do not contain the requested or subsequently requested documents,
- those in which changes to the candidate's entries are not free of doubt or
- those in which changes or additions to the tender documents were made.

(2) Right to request further documentation

The Client, under compliance with the principles of transparency and equal treatment, may request that the candidate submit, complete or correct missing, incomplete, or erroneous documents pertaining to the company, in particular self-declarations, information provided, certificates or other evidence (§ 51 (2) SektVO).

The documents must be submitted by the candidate at the request of the Client within a reasonable period that shall be determined.

Candidates are not entitled to subsequently request documents. Expressions of Interest which do not contain the requested documents or, if the above option is exercised, do not contain the subsequently requested documents, will be rejected (see **Fehler! Verweisquelle konnte nicht gefunden werden. c) Fehler! Verweisquelle konnte nicht gefunden werden. (1)**).

b) Evaluation of the contents of Expressions of Interest

After formal evaluation of the Expressions of Interest, the Client shall evaluate the eligibility of the candidates for the services described in the call for tenders, §§ 142, 122 GWB in connection with § 46(2) SektVO. On the basis of the submitted proof of eligibility, the Client will assess whether the candidate is likely to be able to provide the services described in the call for tenders.

The Client will evaluate

- eligibility by means of the
 - qualification and permission to exercise the profession,
 - economic and financial capability,
 - technical and professional capability and
- the non-existence of grounds for exclusion pursuant to §§ 123 and 124 GWB as well as
- any proven self-cleaning measures by the business or other economic operator pursuant to § 125 GWB.

The Client will take into account the eligibility of other businesses and other economic operators if a candidate relies upon the capabilities of other economic operators to prove its economic and financial or technical and professional capability (see 11.6).

The Client may ask candidates to explain the documents they have submitted.

Candidates who are considered unreliable on the basis of the results of this evaluation or who do not meet the eligibility requirements will be excluded from the remaining stages of the procedure.

d) Invitation to submit a tender

The Clients then invite eligible candidates to submit an initial tender. Further information can be found in the tender document "Tender Requirements".

4.4 Time schedule for theselection of eligible bidders

For more information, see Negomatrix.

The Clients reserve the right to change the time schedule during the course of the procedure, in particular to extend the deadlines provided if this proves to be necessary for proper execution of the procedure.

5 OBLIGATION TO ENQUIRE AND REGISTRATION WITH THE CLIENTS

5.1 Obligation to enquire

Interested economic operators are required to register on Negomatrix in order to be regularly informed regarding newly answered candidate questions as well as to receive notifications from the Client.

5.2 Registration

Pursuant to § 9(3)(2) SektVO, registration is not required to access the contract notice and tender documents.

However, the Clients make use of the right granted by § 9(3)(1) SektVO and require interested economic operators to register with the Client after retrieving the contract notice, the eligibility-related tender documents and the confidentiality agreement ("NDA") in order to gain access to the remaining tender documents. For this purpose, the economic operator shall send the previously downloaded, completed and signed NDA via the Negometrix platform to the contact point referred to in Section 2. The Client must be informed immediately and without being asked of any changes or additions to this information.

At the time of registration, the Client shall notify the candidates via the electronic address they provided.

6 QUESTIONS

6.1 Obligation to provide information in the event of ambiguities or errors

If, in the candidate's opinion, the tender documents contain ambiguities or errors, it must inform the Client immediately and before submitting its Expression of Interest via the e-procurement platform Negometrix.

6.2 Deadline for questions and requests for information

Any questions or requests for additional information should also be directed to the contact point referred to in Section 2 via the Negometrix e-procurement platform. No later than six days before expiry of the deadline for submissions of Expressions of Interest, the Client shall reply to such questions or provide such information.

Oral or phone contact is not permitted and no response will be provided.

6.3 Answering of questions from candidates and other communications from the Client

Both questions and answers, insofar as they contain important information, are simultaneously made available to all candidates in anonymous form. The Client will make the information available for retrieval on Negometrix and inform registered economic operators by email that new answers to candidate questions have been posted on the website. This also applies to other notifications from the Client (e.g. corrections to documents).

7 NOTES ON THE TENDER PROCEDURE

7.1 Permitted languages

The procedure language is German. All written communication with the Client must be in the German language.

For information and evidence which is not in German or English (e.g. certificates from foreign authorities), certified translations must be enclosed in addition to copies of the originals in the foreign language.

The Expression of Interest must be written in the German language.

7.2 No reimbursement of costs

Any costs incurred by the candidate for the processing and preparation of the Expression of Interest or during execution of the process for the selection of eligible bidders will not be reimbursed.

7.3 Ensuring competition

Pursuant to § 1 GWB, agreements between companies, decisions by associations of undertakings and concerted practices which have as their object or effect the prevention, restriction or distortion of competition are prohibited. This conduct may lead to exclusion from the tender procedure pursuant to § 124(1)(4) GWB.

In particular, candidates must ensure that anonymous competition is not influenced by inadmissible multiple applications. In case of doubt, the Client shall require that candidates prove that the anonymity of the selection process has been maintained.

7.4 Storage and processing of personal data

Personal data requested in the course of the tender procedure is stored and processed for the purpose of performing the tender procedure. For this reason, it may be necessary for third party data processing contracts to be concluded between the parties.

8 COMPONENTS OF THE REQUEST TO PARTICIPATE IN THE TENDER PROCEDURE

A complete Expression of Interest consists of

- the completed and signed **Expression of Interest letter**,
- the completed and signed proof of eligibility forms (**Annexes A1 to A7** of this Information Memorandum) and, where appropriate, further documentation to demonstrate eligibility in accordance with the requirements of this Information Memorandum.

8.1 Expression of Interest letter

The attached form must be used for preparation of the **Expression of Interest letter**. This must be completed in full and signed.

In the Expression of Interest letter, the candidate must designate a **responsible contact person** whom the Client may contact throughout the remainder of the tender procedure for all matters relating to participation in the tender procedure.

If a supplier consortium submits an Expression of Interest, the letter must be signed by a representative authorised by the members of the supplier consortium.

8.2 Proof of eligibility

To demonstrate eligibility, the candidate must complete and submit in text form **Annexes A1 to A7** of this Information Memorandum and, where appropriate, other documents to demonstrate eligibility as specified in this Information Memorandum.

For eligibility requirements and other details, please refer to Section 11 of this Information Memorandum.

9 GENERAL REQUIREMENTS OF THE EXPRESSION OF INTEREST

The Expression of Interest must contain all required declarations and information and must be submitted on time.

9.1 Form of the Expression of Interest

The Expression of Interest must be submitted in electronic form via the e-procurement Negometrix with all required information and supporting documents.

9.2 Deadline for submission of Expressions of Interest

See Negometrix.

The Expression of Interest must be received on time via the e-procurement platform Negometrix. Individual extensions of deadlines are not granted.

Expressions of Interest may not be submitted in writing by post or by fax, not even as an addition to an Expression of Interest submitted in writing. Failure to comply with this requirement will result in rejection of the Expression of Interest.

9.3 Handling of Expressions of Interest which are received late

Expressions of Interest which are received late will be excluded from the rest of the process unless the delay is due to circumstances beyond the control of the candidate (see Section a)(1) above). The candidate must provide proof of such circumstances.

9.4 Changes made to the Expression of Interest by the candidate

Any additions, amendments or corrections to the information provided by the candidate in the Expression of Interest may be made by the deadline for submissions of Expressions of Interest and shall be marked accordingly in accordance with the requirements of Sections 9.1 to 9.3 of this Information Memorandum.

Expressions of Interest may be withdrawn electronically until expiry of the deadline for submission of Expressions of Interest.

9.5 Entries made by the candidate and changes to these

Entries made by the candidate must be clear and unambiguous. The candidate bears the risk of unclear or ambiguous entries. The candidate is not entitled to have unclear or ambiguous entries rectified by the Client.

Changes made by the candidate to its entries must be free of doubt.

9.6 Changes to the eligibility-related tender documents

Changes within and to the Client's tender documents may not be made by the candidate. Unauthorized changes will lead to rejection of the Expression of Interest. In particular, in the Annexes to this Information Memorandum, the candidate's entries may only be made in the spaces provided for them and may not be modified.

10 SUPPLIER CONSORTIA

Suppliers may submit Expressions of Interest as a supplier consortium. A supplier consortium is treated as an individual candidate (§ 50(2) SektVO). If candidates are named in the award documents, this also refers to the joint form of participation of a supplier consortium. Regulations which specifically concern groups of candidates only use the term "supplier consortium" (*Bewerbergemeinschaft* - "group of applicants") in this context.

10.1 Designation of an authorised representative

The supplier consortium shall designate an authorised representative for the conclusion and implementation of the contract. This person is to sign **Annex A1** of this Information Memorandum. The authorised representative shall be available to the Client as the contact person for the supplier consortium in this tender procedure.

10.2 Requirements for proof of eligibility

The members of the supplier consortium jointly complete the form "Declaration of Supplier Consortium" (**Annex A2**), in which the authorised representative is also designated.

Qualification and permission to exercise the profession must be individually proven for each member of a supplier consortium using form in **Annex A4**, and the non-existence of the grounds for exclusion pursuant to § 123 and § 124 GWB using the form in **Annex A7**. The other eligibility criteria (**Annexes A5 and A6**), depend on the supplier consortium as a whole. If this is the case, each member shall

complete **Annexes A5** and **A6** only to the extent applicable to it. If the eligibility of a third party relied upon, **Annex A3** ("Erklärung bei Berufung auf die Eignung Dritter") must also be submitted.

The evaluation of eligibility is performed under consideration of all documents submitted by the supplier consortium.

11 PROOF OF ELIGIBILITY

After the eligible bidder selection process has been held and the subsequent negotiation and bidding phases have been completed, the contract will only be awarded to one competent and capable economic operator. An economic operator is eligible if it fulfils the following criteria laid down in detail by the Client for the proper performance of the contract.

11.1 Qualification and permission to exercise the profession

Reference is made to point III.1.1) of the EU notice.

The form in **Annex A4** shall be used for verification purposes.

11.2 Economic and financial capability

Reference is made to point III.1.2) of the EU notice.

The form in **Annex A5** shall be used for verification purposes.

11.3 Technical and professional capability

Reference is made to point III.1.3) of the EU notice.

The relevant section of **Annex A6** shall be completed and, where appropriate, supplemented by the candidate's own documentation.

11.4 Minimum requirements

[n/a]

11.5 Self-declaration on the (non-)existence of grounds for exclusion; measures for self-cleaning

If economic operators interested in the contract are in one of the following situations, they must declare it. If there are grounds for exclusion pursuant to § 123 GWB and/or § 124 GWB, economic operators may provide evidence of self-cleaning measures that have been carried out. For verification of the grounds for exclusion and of the self-cleaning measures, the form in **Annex A7** shall be used.

a) Grounds for exclusion pursuant to § 123 GWB and § 124 GWB

Economic operators must declare the non-existence of the grounds for exclusion specified in § 123 and § 124 GWB.

b) Self-cleaning pursuant to § 125 GWB

If an economic operator has grounds for exclusion pursuant to § 123 GWB or § 124 GWB, it shall not be excluded if it has proved that it

1. has paid compensation or undertaken to pay compensation for any damage caused by misconduct or a criminal offence,
2. has fully clarified the facts and circumstances relating to the offence or misconduct and the damage caused thereby, through active cooperation with the investigating authorities and the Client, and
3. has taken concrete technical, organisational and personnel measures that are suitable to prevent further misconduct or criminal offences.

The Client will evaluate the self-cleaning measures taken by the tenderer and take into account the seriousness and specific circumstances of the offence or misconduct. If the Client considers the self-cleaning measures to be insufficient, it shall give reasons for its decision to the tenderer.

- c) Exclusion and self-cleaning in the event of failure to comply with the obligation to pay taxes, levies or social insurance contributions

If the economic operator fails to meet its obligations to pay taxes, levies or social insurance contributions and this has been established by a final and absolute court decision or administrative decision (§ 123(4)(1)(1) ARC), it shall not be excluded if the economic operator proves that it has met its obligations by making the payment or by undertaking to pay the owed taxes, levies or social insurance contributions, including interest, surcharges for late payment and penalties.

- d) Exclusion from the tender procedure

If an economic operator for which a reason for exclusion exists has not taken or has not demonstrated sufficient self-cleaning measures in accordance with Section 11.5 b) of this Information Memorandum, it may

1. (if grounds for exclusion pursuant to § 123 GWB exist) be excluded from participation in the Client's tender procedures for a maximum of five years from the date of the final conviction,
2. (if grounds for exclusion pursuant to § 124 GWB exist) be excluded from participation in the Client's tender procedures for a maximum of three years from date of the event in question.

11.6 Reference to the capacity and expertise of third parties (loan of eligibility - *Eignungsleihe*)

A candidate, even as a member of a supplier consortium, may use the skills of third parties (e.g. sub-contractors) to demonstrate its ability and expertise, regardless of the legal nature of the links between it and those third parties.

- a) Requirements for proof of eligibility

Any third party whose eligibility is relied upon must complete and sign the "Declaration of Eligibility" form (**Annex A3**) and submit it together with the candidate's tender. In addition, the third party must demonstrate its economic, financial, technical and professional capacity in accordance with the requirements set out in the EU Notice and this Information Memorandum, using the forms provided by the Client, to the extent that this is cited by the candidate.

Irrespective of this, the third party whose eligibility the candidate cites must also independently and completely prove, using the forms provided, its qualification and permission to exercise its profession as well as prove the non-existence of the grounds for exclusion specified in § 123 and § 124 GWB, in accordance with this Information Memorandum.

- b) Proof of professional capacity

A candidate may only rely upon the capacities of other economic operators to prove the required professional capacity if the other economic operator performs the service for which these capacities are required.

- c) Evaluation by the Client

As part of the evaluation of eligibility, the Client must determine whether the third-party company, whose capacities the candidate would like to rely upon for fulfilment of the eligibility criteria, does indeed fulfil the eligibility criteria and whether grounds for exclusion exist.

If the third-party company does not fully meet the respective eligibility criteria or if compelling grounds for exclusion exist, the candidate must replace the third-party company. The Client

reserves the right to require that the external company be replaced if facultative grounds for exclusion exist pursuant to § 124 GWB. If this is the case, the Client shall set an appropriate time limit for the candidate.

d) Joint liability

The Client requires that the candidate and the external company be jointly liable for the performance of the contract according to the scope of the loan of eligibility (*Eignungsleihe*), § 47(3) SektVO.

11.7 Proof of eligibility, declaration on grounds for exclusion and measures for self-cleaning and the restoration of reliability

The forms in **Annexes A1 to A7** are to be used for requesting participation in the procedure. These forms are attached to this Information Memorandum on the Selection of Eligible Bidders.

In addition to the required documents, it may be necessary for additional candidate-prepared annexes to be included. The candidate's own annexes are to be labelled with the prefix "B" (e.g. **Annex B1**).

12 ELIGIBLE CANDIDATES

On the basis of the aforementioned requirements, the Client shall examine and assess the eligibility of the candidates for the performance of the services in question. Candidates determined to be eligible through this process will be invited to submit a tender. Further details on the process during the negotiation and bidding phases can be found in the tender requirements.

13 CONFIDENTIALITY

By submitting an Expression of Interest, the candidate undertakes to treat as confidential all information and documents made available in the course of the tender procedure. Candidates may not pass the tender documents on to third parties without authorisation.

Only consultants and subcontractors of the candidates are exempted from the prohibition on disclosure if they can prove that they have been obliged to maintain confidentiality in the same manner and to the same extent. The tender documents shall remain the property of the Client.

Applicants may only publish information about the project or parts thereof and other information which they become aware of in the course of the tender procedure with the written consent of the Client.

The confidentiality agreement (NDA) signed by the supplier remains unaffected by this.

14 OBLIGATION TO GIVE NOTICE OF DEFECTS AND REVIEW PROCEDURE

14.1 Obligation to give notice of defects and time limit for filing a review request

Complaints for identified infringements of procurement regulations must be lodged with the contact point mentioned in Section 2 within a period of ten calendar days (cf. § 160(3)(1)(1) GWB).

Violations of procurement regulations which are recognisable on the basis of the contract notice must be reported to the Client via the contact point mentioned in Section 2 by the deadline for submission of applications specified in the contract notice, § 160(3)(1)(2) GWB.

In addition, reference is made to § 160(3)(1)(4) GWB. Based on this, an application for review is inadmissible if more than 15 calendar days have passed since receipt of a notice from the Client that it does not wish to remedy a complaint.

14.2 Competent body for review procedures

Regierung von Mittelfranken

Vergabekammer Nordbayern

Postfach 606

91511 Ansbach

Vergabekammer.nordbayern@reg-mfr.bayern.de

15 LIST OF ANNEXES

- Form in Annex A1** "Information on the candidate/member of supplier consortium"
- Form in Annex A2** "Supplier consortium"
- Form in Annex A3** "Declaration of the suitability of third parties (upon awarding of contract)"
- Form in Annex A4** "Qualification and permission to exercise the profession"
- Form in Annex A5** "Economic and financial capability"
- Form in Annex A6** "Technical and professional capability"
- Annex to form Anlage A6 "SOL_s_Referenzliste"
- Form in Annex A7** "Declaration of exclusion grounds and measures for self-cleaning and reliability restoration"