

Application requirements of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH for the award of contracts for services and work below the EU threshold

07/2024

These requirements apply unless different conditions are set out in the other tender documents. The procurement procedure shall be carried out in accordance with the applicable provisions of the German Act against Restraints on Competition (GWB) and the Rules of Procedure on the award of public supply and service contracts below the EU thresholds (Regulation on sub-threshold procurement UVgO).

1. Submission of tenders and requests to participate

The editable templates (Word, Excel) provided by GIZ in electronic form must be used to prepare the request to participate or a tender, which is submitted electronically in text form via GIZ's eProcurement Tender Platform at <https://ausschreibungen.giz.de>.

To submit tenders or requests to participate, please proceed as follows:

If you are not registered yet:

Register at <https://ausschreibungen.giz.de> (note: in order to register, you will be redirected to the page <https://www.dtv.de>). You need only select the free BASIC model.

After you have registered:

1. Use your access details to log in at <https://ausschreibungen.giz.de>.
2. Select the desired tender and click on the button to the right entitled 'Informationen zu diesem Projekt' ('More information about this project'). This will give you an overview of the selected tender.
3. Click on the 'Jetzt teilnehmen' ('Join now') button.
4. In the left-hand menu click on 'Kommunikation' ('Communication'). Check there for answers to questions from tenderers that were published before your participation. If answers are given in the future, you will automatically be notified by email that new answers are available.
5. In the left-hand menu, click on 'Angebote' ('Tenders') or 'Teilnahmeanträge' ('Requests to participate').
6. Click on the 'Bietertool starten' ('Launch tenderer tool') button. The tenderer tool will then open.

Note

Please make sure **well in advance** that your computer meets the necessary specifications for running the tenderer tool (**in particular, that Java is installed and enabled**). You can obtain further assistance by clicking on the button 'Online help' or at <https://support.cosinex.de/unternehmen/> and click on "English instructions" (last bullet on the left navigation bar).

Notes on preparing and submitting the tender using the 'Bietertool' ('Tenderer tool')

- a. **General information:** You will find general information here on the tender procedure, including the name of the procedure and the deadline for submission.
- b. **Tender documents:** You will find all the tender documents for the procedure here.
- c. **Basic information for the tender:** Enter the name of the contact person under the 'Allgemeine Angaben' ('General information') tab. When tendering as part of a consortium, the name of the bidding consortium must be entered.
- d. **Documents for the tender:**

Under the 'Auszufüllende Dokumente' ('Documents to be filled out') tab:

 - The documents provided here must be filled out and they become an integral part of the tender or request to participate.
 - Word and Excel documents are filled out online and saved. You can find detailed information on how to fill out and save the documents online directly in the tenderer tool at 'Zur Bearbeitung dieser Dateien gehen Sie bitte wie folgt vor' ('Please proceed as follows to process these files').

Under the 'Eigene Dokumente' ('Own documents') tab

 - Upload all other documents you would like to become an integral part of the tender or request to participate (in particular, the technical bid including the declaration of integrity and, if applicable, a scan of the consortium declaration).
- e. **Submission:** As soon as your tender or request to participate is ready to be submitted, click on the 'Abgabe' ('Submission') section and start the submission wizard by clicking on the 'Abgabe-Assistent starten' ('Start submission wizard') button.
- f. According to Section 126 b of the German Civil Code (BGB), the details required are as follows: family name, given name, company name of person responsible for the submission.

Support and guidelines

If you have any **technical** questions, please contact the Cosinex support team:

1. By email: support@cosinex.de (recommended)
 2. Via the service telephone number: +49 900-1-267463 (EUR 1.49 per minute from a German landline, mobile phone charges may vary)
- Service availability: Monday to Friday, 8:00 am – 6:00 pm

2. No remuneration or reimbursement of costs

GIZ will not provide any remuneration or reimbursement to cover participation in presentations or the preparation of requests to participate or tenders.

3. Terms and conditions of contract

Tenders are submitted subject to the General Terms and Conditions of Contract for Supplying Services and Work on behalf of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, as amended from time to time. These will form a part of the contract when the contract is awarded to the selected tenderer.

Further to this, the conditions of contract contained in the tender documents will apply to the implementation of the assignment.

4. Questions about the award procedure and the tender documents

Any commercial, technical or procedural questions should be raised promptly, and no later than three working days before the deadline for submission. Non-compliance may result in your tender not being

considered. Questions must be submitted using GIZ's eProcurement Tender Platform for the award of contracts. During ongoing tender procedures, candidates/tenderers must not enter into contact with people involved in the procedure, apart from GIZ Contract Management. Insofar as they are of general interest, questions and answers will be made available in anonymous form to all candidates/tenderers on GIZ's eProcurement Tender Platform. Questions and answers that are relevant to only one candidate/tenderer will be answered to that candidate/tenderer alone.

Note

You will only be sent emails automatically with new information relevant to the procedure if you are registered with our eProcurement Tender Platform, and after you have logged in and clicked on the link 'Join now'. We strongly recommend that you register. This does not oblige you to take part in an award procedure.

5. Eligibility

- 5.1 The contract will only be awarded to contractors with the required expertise and capacity (eligible contractors), which meet the criteria listed in the document 'Self-declaration of eligibility' and which are not excluded under the terms of Sections 123 or 124 of the German Act against Restraints on Competition (GWB).

If a limit to the number of candidates has previously been announced, eligibility will be assessed in accordance with the assessment grid included in the tender documents.

- 5.2 GIZ checks the identity of candidates/tenderers prior to awarding the contract. The evidence will usually consist of a copy of the extract from the official register in the respective country. Translations into German or English shall be enclosed for any official documents in another language. European companies must provide a copy of the current register entry within the scope of Annex XI to EU Directive 2014/24/EU on public procurement. International companies must provide a copy of the register entry or a valid registration document for their company.
- 5.3 GIZ checks the candidates/tenderers against the sanctions lists of the United Nations and the European Union prior to awarding the contract. GIZ will inform the candidate or tenderer if facts come to light during the verification that prevent the contract from being awarded to the tenderer.
- 5.4 As a condition for contract performance, GIZ checks the risk of false self-employment of candidates and tenderers. GIZ reserves the right to not award the contract in the event of an increased risk of false self-employment.
- 5.5 GIZ may check the creditworthiness of candidates/tenderers. To this end, GIZ will request information from Creditreform Boniversum GmbH, Hammfelddamm 13, 41460 Neuss, from which it generally obtains relevant business data. For this purpose, GIZ will provide the (company) name and address details to Creditreform Boniversum GmbH.

With regard to the processing of data by Creditreform Boniversum GmbH, the information required pursuant to Article 14 of the EU General Data Protection Regulation can be found here: www.boniversum.de/en/eu-gdpr. Questions about this processing of your data should be directed to the data protection officer at Creditreform Boniversum GmbH (see link above for contact details).

6. Contents of the technical bid

- 6.1 The requirements for the technical bid are laid out in the terms of reference. If CVs are required for the proposed experts, these must be submitted in the standard EU format (e.g. Europass format) and in the language of the tendering procedure.

- 6.3 Should any of the proposed experts have an existing work contract or development service contract with GIZ, or an existing subsidy agreement as an integrated expert, the tender must specify the contract/agreement end date.

Note

The technical bid must not contain any information whatsoever about the price.

7. Financial bid

- 7.1 The requirements for the financial bid are derived from the terms of reference.
- 7.2 The financial bid must be in euros, structured in accordance with the price schedule and GIZ's General Terms and Conditions of Contract and meet the costing requirements pursuant to the terms of reference.
- 7.3 The financial bid must contain the specification of inputs as required in the terms of reference (number of experts and number of corresponding expert days) as well as any budgets set by GIZ.
- 7.4 All prices must be quoted with as net amounts. Any VAT incurred should be indicated separately.

Note

The financial bid must be submitted separately from the technical bid as a PDF document.

8. Presentation

GIZ reserves the right to require tenderers to give a presentation outlining the tender and the proposed personnel. This presentation must include information showing that the concept and proposed experts provide sufficient guarantee of the successful implementation of the measure for which the invitation to tender has been issued.

9. Award criteria and evaluation of tenders

Tenders are rated on their technical merits in accordance with the assessment grid specified in the tender documents.

Only bids for which the technical evaluation results in a rating of at least 500 points will undergo a financial evaluation. Technical bids with less than 500 points will be excluded from the tender. If a technical minimum/mandatory criterion specified in the terms of reference is not fulfilled, the financial bid will not be opened and the bid will likewise be excluded. The technical bid is weighted at 70%, the financial bid at 30%. Fixed budget items stipulated in the tender documents for the financial bid are not included in the evaluation and weighting of financial bids. Weighting is based on the formula:

$$= 0,70 \times \frac{\text{Technical assessment of tenderer's bid}}{\text{Assessment of best technical bid}} + 0,30 \times \frac{\text{Lowest financial bid}}{\text{Tenderer's bid price}}$$

10. Price law

The service that is the subject of the tender is for an indirect contribution to a public contract. In line with the demands of the public-sector commissioning party, Regulation PR-NR 30/53 on the Prices for Public Contracts (Federal Gazette, No. 244, 18 December 1953) must be observed by tenderers based or with branch offices located in Germany and is applicable to the service contract.

This does not apply if the service that is the subject of the tender was not commissioned by a public contracting authority.

11. Candidate or bidding consortia

Candidate or bidding consortia must designate a lead member and authorise this member to represent the consortium and receive payments in discharge of GIZ's liability towards for all members of the consortium. A formal agreement to this effect must be signed by each member of the consortium and attached to the self-declaration or request to participate or to the tender. This must be done using the specimen supplied by GIZ.

12. Subcontractors and loan of eligibility (Reliance on the resources of other undertakings)

12.1 Subcontractors with loan of eligibility (Reliance on the resources of other undertakings)

If candidates/tenderers intend to make use of the capacities of another another person or company to implement a contract, they are required to provide a letter of intent declaring that the relevant capacities are at their disposal to implement the contract or will be delivered by the subcontractor in question. Furthermore, the document 'Self-declaration of eligibility' is also to be filled out by every subcontractor and submitted with the tender.

12.2 Subcontractors

If a tenderer intends to let a subcontractor implement some of the services, the nature and extent of these services must be stated with the submission of the tender, and the subcontractor must be mentioned by name.

13. Changes

13.1 Changes to the tender documents

Changes or supplements to the tender documents are not permitted and will result in the tender being excluded from the procedure, in accordance with the Rules of procedure on the award of public supply and service contracts below the EU thresholds (UVgO) – Section 38, Paragraph 10, Sentence 1 and Section 42, Paragraph 1, No. 4.

A candidate's or tenderer's terms of business and/or terms of payment must not be enclosed with a request to participate or tender (or made available or referred to in any other way) and shall not apply. Variant tenders are not permitted, but do not lead to the main tender being excluded.

13.2 Changes to requests to participate or tenders

Corrections of, or changes to requests to participate or tenders must be submitted in the same form as the original request to participate or tender.

14. Storage and processing of personal data

The storage and processing of personal data in GIZ is carried out complying with the document "Information on data processing in accordance with Article 13 of the EU General Data Protection Regulation (GDPR) ('data protection information')", which is attached to these tender documents.

15. Other provisions

If the list of proposed experts includes anyone who advised GIZ before the award procedure or was involved in preparation of the award procedure in any other way, the candidate or tenderer must draw attention to this fact in the self-declaration / in the request to participate.