

Fragebogen zur Eignungsprüfung

	Bezeichnung	Antwort	Kriteriengewichtung
1	Zulassung Teilnahmeanträge		
1.1	Eignungs- und Teilnahmeantragsprüfung		
1.1.1	Eignungskriterien		
1.1.1.1	EnBW Supplier number The tenderer shall state its EnBW supplier number, if available.		
1.1.1.2	Contact Person The tenderer shall name its contact person for the tender and state its contact data.		
1.1.1.3	Company adress The tenderer shall state the full adress of its company.		
1.1.1.4	Management Board The tenderer shall state the members of its management board including the following disclosures: Mr/Mrs, Title, Surname, First name.		
1.1.1.5	Legal form The tenderer shall state the legal form of its company.		

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I 1.1.1.6	<p>Foundation year The tenderer shall state the year of its company foundation.</p>	<div style="background-color: #ffffcc; border: 1px solid black; height: 40px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	
I 1.1.1.7	<p>Company VAT Number The tenderer shall state the VAT number of its company.</p>	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	
I 1.1.1.8	<p>Subscribed capital The tenderer shall state the subscribed capital of its company.</p>	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	
I 1.1.1.9	<p>Group affiliation The tenderer shall state its group affiliation, if available.</p>	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	
I 1.1.1.10	<p>Employees number The tenderer shall state the number of employees in total and the number of employees in full time employment (FTE) for the last three complete years.</p>	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	
I 1.1.1.11	<p>Shareholder of some utility The tenderer shall state, if its company is shareholder of some utility. If yes, the tenderer shall enter the name of the utility.</p>	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	
I 1.1.1.12	<p>Quality Management System The tenderer shall state, if its company has a quality management system in place and if so, the tenderer shall state the name of</p>		

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	the quality management system its company uses and state if it is certified, e.g. ISO 9001.		
I 1.1.1.13	Quality Management Officer The tenderer shall state, if its company has a quality management officer. If so, the tenderer shall state the contact details of the officer.		
I 1.1.1.14	Environmental management system The tenderer shall state, if its company has an environmental management system in place and if so, the tenderer shall state the name of the environmental management system its company uses and state if it is certified, e.g. ISO 14001, EMAS...		
I 1.1.1.15	Pending proceedings for environmental violations The tenderer shall state, if there are pending proceedings against its company for environmental violations. If so, tenderer shall explain this briefly here.		
I 1.1.1.16	Sustainability/ Corporate Social Responsibility The tenderer shall state, if its company is committed to the principles of sustainable corporate governance having regard to accepted humanitarian, social, ethical and environmental standards (e.g. German Sustainability Code (DNK), UN Global Compact, ISO 26000)? If so, the tenderer shall provide further information on the areas concerned: - Employees - Environmental protection - Company - Others.		
I 1.1.1.17	Publication of sustainability reports The tenderer shall state, if its company publishes regular (e.g. annual) reports about its sustainability efforts.		

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	<p>If so, the tenderer shall provide further information on the report type::</p> <ul style="list-style-type: none"> - Sustainability report - Annual report - Website - Others. 	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	
<p>I 1.1.1.18</p>	<p>Compliance: organisational and procedural measures</p> <p>The tenderer shall state, if its organisation has organisational and procedural measures in place to prevent breaches of anti-corruption and anti-competition laws and regulations.</p> <p>If so, the tenderer shall provide further information on the type of existing measures:</p> <ul style="list-style-type: none"> - Code of behaviour - Training sessions - Regulations for dealing with gifts and benefits to business partners - Other. 	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	
<p>A 1.1.1.19</p>	<p>Company register number (Ist Ausschlusskriterium)</p> <p>The tenderer shall state the registration number/ commercial register number of the company, e.g. HRB 123456.</p> <p>CRITERION is mandatory to fulfil.</p>	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	
<p>A 1.1.1.20</p>	<p>Financial reports for the last three complete years (Ist Ausschlusskriterium)</p> <p>The tenderer shall provide annual financial reports for the past three complete financial years. In case of justifiable doubts about the financial stability of the tenderer's company, the tendering company reserves the rights to exclude the tenderer from the tender.</p> <p>CRITERION is mandatory to fulfil.</p>	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	
<p>A 1.1.1.21</p>	<p>General Data Protection Regulation (Ist Ausschlusskriterium)</p> <p>The tenderer shall answer the questions regarding</p> <p>1) the applicability of the General Data Protection Regulation (GDPR) in its company.</p>	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; width: 100%;"></div>	

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	<p>Is the Federal Data Protection Act (BDSG) in combination with the General Data Protection Regulation (DSGVO; GDPR) in its most recent version applicable for your products and services? Please answer here with yes or no!</p> <p>and</p> <p>2) acting in accordance with the General Data Protection Regulation (GDPR)</p> <p>If the answer to the question 1 is "yes", the tenderer shall confirm that its company acts according to the valid Federal Data Protection Act in the event of an order.</p> <p>CRITERION is mandatory to fulfill.</p>		
<p>A 1.1.1.22</p>	<p>Occupational health and safety standards (Ist Ausschlusskriterium)</p> <p>The tenderer shall state, if there is an occupational health and safety standard in place in its company and if its company complies with all of the laws and regulations relating to occupational safety, operational safety and hazardous and biological substances in each country in which the service is provided (in Germany e.g. the German Occupational Safety Act - ArbSchG, ...)</p> <p>If no, the tenderer shall confirm that before commencing the work for EnBW, the tenderer will create risk assessments for the employees according to the Industrial Safety Act (ArbSchG), and where applicable, the regulations governing hazardous materials, operational safety and biological agents.</p> <p>Note: The Industrial Safety Act governs the underlying industrial safety obligations of the employer, the rights of employees and the monitoring of occupational safety under this Act.</p> <p>CRITERION is mandatory to fulfill.</p>	<div style="background-color: yellow; height: 15px; border: 1px solid black; margin-bottom: 5px;"></div> <div style="background-color: yellow; height: 15px; border: 1px solid black; margin-bottom: 5px;"></div> <div style="background-color: yellow; height: 15px; border: 1px solid black;"></div>	
<p>I 1.1.1.23</p>	<p>Social or ethical standards in regard to subcontractors</p> <p>The tenderer shall state, if its company requires its subcontractors to commit to principles of internationally recognized</p>		

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	<p>social or ethical standards.</p> <p>If so, the tenderer shall mention standards, such as SA 8000, Ethical Trading Initiative (ETI) Base Code, Investors in People, Global Reporting Initiative or UN Global Compact.</p>		
I 1.1.1.24	<p>System to monitor compliance with Occupational health and safety standards</p> <p>The tenderer shall state, if its company has implemented a system to monitor and/or reviewing compliance with Occupational health and safety standards.</p> <p>If so, please explain this system briefly.</p>		
I 1.1.1.25	<p>Evaluation and selection of subcontractors for occupational health and safety standards</p> <p>The tenderer shall state, if its evaluation and selection of subcontractors is based on occupational health and safety standards.</p>		
A 1.1.1.26	<p>Declaration pursuant to § 123 of the Act against Restraints of Competition (GWB) (Ist Ausschlusskriterium)</p> <p>The tenderer shall confirm the following statement:</p> <p>"We hereby declare that within the last three years, no one belonging to our company nor anyone belonging to our administrative, management or supervisory board or anyone who has powers of representation, decision making or control, has been found guilty of breaching one of the provisions of Section 123 (1) Nos. 1-10, nor has the company been subject to a legally binding financial penalty due to breaches of the previously mentioned provisions pursuant to Section 30 of the Code of Administrative Offences (GBW)</p> <p>1. Formation of a criminal enterprise or a terrorist association at home and abroad (in Germany § 129, 129a and 129b of the Penal Code)</p> <p>2. Financing of terrorism or due to participation in such an act (in Germany § 89c of the Penal Code)</p>		

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	<p>3. Provision or collection of funds, in the knowledge that these funds are being or will be used, in whole or in part, to prepare a serious act of State-endangering violence (in Germany, an offence under § 89a(2)(2) of the Penal Code)</p> <p>4. Money-laundering, concealment of unlawful earnings (in Germany § 261 of the Penal Code)</p> <p>5. Fraud, provided that the criminal offence is directed against the budget of the European Union or against budgets administered by the European Union or on its behalf (in Germany § 263 of the Penal Code)</p> <p>6. Subsidy fraud, provided that the criminal offence is directed against the budget of the European Union or against budgets administered by the European Union or on their behalf (in Germany § 264 of the Penal Code)</p> <p>7. Bribery and corruption in commercial transactions (in Germany § 299 of the Penal Code)</p> <p>8. Bribery and corruption of elected officials (in Germany § 108e of the Penal Code)</p> <p>9. Granting of favours and bribery, in each case in conjunction with bribery of foreign and international civil servants (in Germany § 333 and § 334 in conjunction with § 335a of the Penal Code)</p> <p>10. Bribery of Foreign Public Officials in International Business Transactions (in Germany § 2(2) of the of the Act on Combating International Bribery)</p> <p>11. People trafficking, forced prostitution, forced labour, labour exploitation, exploitation by exploiting deprivation of liberty (in Germany § 232, 232a(1-5) and § 232b till § 233a of the Penal Code)</p> <p>A judgement or the imposing of a fine according to the comparable regulations of other states shall be the equivalent of a judgement or fine within the meaning of the</p>		


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	<p>above-mentioned German provisions.</p> <p>CRITERION is mandatory to fulfil.</p>		
A 1.1.1.27	<p>Corresponding judgement or legally binding administrative decision due to § 123 GWB (Ist Ausschlusskriterium)</p> <p>In the event that there is a corresponding judgement or legally binding administrative decision based on the criminal offences listed under 1.2.2.29, the tenderer shall provide information on the following aspects:</p> <ul style="list-style-type: none"> - Date of the judgement / administrative decision - Reason - Who was convicted? - Duration of the period of exclusion from calls for tender <p>If there is no such event, the tenderer shall answer with "no".</p> <p>CRITERION is mandatory to fulfil.</p>		
A 1.1.1.28	<p>Self-purification after responding judgement or legally binding administrative decision based on §123 GWB (Ist Ausschlusskriterium)</p> <p>In the event that there is a corresponding judgement or legally binding administrative decision based on the criminal offences listed under point 1.2.2.29. the tenderer shall confirm that its company has established reliability in procurement by the following organisational measures ('self-purification').</p> <p>If so, the tenderer shall upload the corresponding supporting documents as attachment.</p> <p>CRITERION is mandatory to fulfil.</p>		
A 1.1.1.29	<p>Insolvency procedure (Ist Ausschlusskriterium)</p> <p>Declaration pursuant to § 124 of the Act against Restraints of Competition (GWB)</p>		

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	<p>The tenderer shall hereby confirm that no application has been made or opened for an insolvency procedure or an equivalent procedure regarding our company, or the opening of such proceedings has been declined due to insufficiency of assets, or the company is in the process of liquidation or has ceased its activities (Section 124 (1) No. 2 GWB).</p> <p>CRITERION is mandatory to fulfil.</p>	<div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div> <div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div> <div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div>	
<p>A 1.1.1.30</p>	<p>Minimum Wage (Ist Ausschlusskriterium) The tenderer shall confirm that its company pays all of its employees according to the legal requirements (In Germany section 1 Minimum Wage Act).</p> <p>The attached document LTMG has to be signed and uploaded.</p> <p>CRITERION is mandatory to fulfil.</p>	<div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div> <div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div> <div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div>	
<p>A 1.1.1.31</p>	<p>Declaration on required declarations and evidence (Ist Ausschlusskriterium) The tenderer shall confirm that with regard to the declarations and supporting documents required of its company, no inaccurate declarations relating to grounds for exclusion or selection criteria were made in the tendering procedure, neither was information withheld and that it is aware that the submission of such false declarations and supporting documentation can lead to the exclusion from the tendering procedure/ awarding of contract (cf. Section 124 (1) No.8 GWB [Act against Restraints on Competition]).</p> <p>CRITERION is mandatory to fulfil.</p>	<div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div> <div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div> <div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div>	
<p>A 1.1.1.32</p>	<p>Self-declaration due to Russia sanctions according to Regulation (EU) 833/2014 (Ist Ausschlusskriterium) The tenderer shall confirm:</p> <p>1. The applicant(s)/tenderer(s) do(es) not belong(s) to the referred to in Article 5(k)(1) of Regulation (EU) No 833/2014, as amended by Article 1(23) of Council Regulation (EU) 2022/576 of 8 April 2022 concerning restrictive</p>	<div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div> <div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div> <div style="background-color: #ffff00; height: 20px; width: 100%; border: 1px solid black;"></div>	

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	<p>measures in view of Russia's actions destabilizing the situation in Ukraine, persons or entities having a connection with Russia within the meaning of the provision. The group of persons referred to in Article 5(k)(1) of Regulation (EU) No 833/2014 includes:</p> <p>a) a Russian national, or a natural or legal person, entity or body established in Russia;</p> <p>b) a legal person, entity, or body whose proprietary rights are directly or indirectly owned for more than 50 % by an entity referred to in point (a) of this paragraph; or</p> <p>c) a natural or legal person, entity or body acting on behalf or at the direction of an entity referred to in point (a) or (b) of this paragraph.</p> <p>2. Companies participating in the contract as subcontractors, Bidders, or companies whose capacities are used in connection with the provision of proof of suitability, which account for more than 10% of the contract value, also do not belong to the group of persons with a connection to Russia within the meaning of the Regulation.</p> <p>3. It is confirmed and ensured that also during the contract period no companies involved as subcontractors, Bidders, or companies whose capacities are used in connection with the provision of the proof of suitability are used, which account for more than 10% of the contract value.</p> <p>4. It is confirmed and ensured that subcontractors, Bidders, or companies whose capacities are used in connection with the provision of the proof of suitability, as for all other subcontractors of the aforementioned, a corresponding self-declaration in the aforementioned sense is also submitted and can be presented to the contracting company upon request.</p> <p>5. It is confirmed and ensured that any changes regarding criteria 1.a) to 1.c) will also be reported immediately to the contracting company during the competitive procedure, the tendering phase and the</p>		

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	<p>contract period.</p> <p>The attached document "Self-declaration_5_Sanctions-regulation" must be filled, signed and uploaded. Missing self declaration will lead to the exclusion from the Tender.</p>		
A 1.1.1.33	<p>Competence, equipment and personell to provide a full geotechnical survey (Ist Ausschlusskriterium) The tenderer shall confirm that it has competence, equipment, personell and other ressources to provide a full geotechnical survey (conducting of seabed CPTs, Borehole CPTs, Composite Boreholes (CPTs with sampling), Vibrocores, seismic CPTs) and incl. transport of samples (e.g. to laboratory).</p> <p>If the tenderer uses subcontracting, then a list of subcontractors and the specific work they will cover shall be provided.</p> <p>CRITERION is mandatory to fulfil.</p>		
A 1.1.1.34	<p>Competence, equipment and personell to provide laboratory testing (Ist Ausschlusskriterium) The tenderer shall confirm that it has competence, equipment, personell and other ressources to provide laboratory testing (according to BSH Standard Ground Investigations) and sample storage.</p> <p>If the tenderer uses subcontracting, then a list of subcontractors and the specific work they will cover shall be provided.</p> <p>CRITERION is mandatory to fulfil.</p>		
A 1.1.1.35	<p>Project language (Ist Ausschlusskriterium) The tenderer shall confirm its capability to use the English langauage as project language.</p> <p>CRITERION is mandatory to fulfil.</p>		
A 1.1.1.36	<p>Communication with German authorities during geotechnical survey (Ist Ausschlusskriterium) The tenderer shall confirm its capability to communicate in German with German authorities (personnel which will be in</p>		

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	<p>contact with German authorities shall have at least German language level of C.1. This will be one of the mandatory contract requirements).</p> <p>CRITERION is mandatory to fulfil.</p>		
I 1.1.1.37	<p>Geotechnical vessels The tenderer shall state, if it is operating its own geotechnical vessels and specify geotechnical vessels planned for the offer in this tender.</p>		
I 1.1.1.38	<p>Project references The tenderer shall provide references of project(s) proving the conducted geotechnical investigations for offshore wind farms in the North Sea in the last five years. The reference(s) shall has(ve):</p> <ul style="list-style-type: none"> - at least one geotechnical campaign in the German North Sea. - borehole depth up to 80 mbsf. <p>The reference(s) shall describe the rendered services including the tenderer's partners share/part of inhouse production and subcontracted services.</p>		
I 1.1.1.39	<p>Main equipment The tenderer shall state, if it is operating its own main equipment and specify whom belongs the equipment to (to the tenderer or to tenderer's (sub)contractors).</p>		
I 1.1.1.40	<p>Start date of field work The tenderer shall provide the earliest date to start the field work.</p>		
I 1.1.1.41	<p>Provision of preliminary data during field work phase The tenderer shall confirm the capability to provide preliminary data from offshore (e.g., offshore laboratory testing, CPT data, core descriptions).</p>		

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A 1.1.1.42	<p>Judgments, lawsuits, arbitration proceedings or other pending proceedings/claims (Ist Ausschlusskriterium) The tenderer shall state, if there any judgments, claims, arbitration proceedings or other pending proceedings/claims against its company or, if professionally arranged, its employees or legal representatives.</p> <p>If yes, the tenderer shall explain this briefly here.</p>	<div style="background-color: #ffff00; height: 20px; border: 1px solid black; margin-bottom: 5px;"></div> <div style="background-color: #ffff00; height: 20px; border: 1px solid black; margin-bottom: 5px;"></div> <div style="background-color: #ffff00; height: 20px; border: 1px solid black;"></div>	
A 1.1.1.43	<p>Declaration on sanctions and terrorism lists (Ist Ausschlusskriterium) The tenderer shall confirm that its company as well as the representatives of its company are not included in any of the sanctions or terrorism lists of the following states or associations of states:</p> <ul style="list-style-type: none"> - Sanctions lists of the European Union [EU] (e.g. EU_CFSP, EU_RUSD, EU_RUSK, EU_IRAN,...) - Sanctions lists of the United Kingdom [UK] (e.g. GB_HMT,...) - Sanctions lists of the United States [US] (e.g. US_SDN, US_DPL, US_EL, US_UL, US_LSDP, US_LADP, US_NPL, US_NONSDN,...) - Sanctions Lists of Canada [CA] (e.g. Consolidated Canadian Autonomous Sanctions List,...) <p>The tenderer state the declaration on sanctions and terrorism lists with "Yes", if the tenderer can make the preceding declaration or with "No", if the tenderer cannot make the preceding declaration. In this case the tenderer shall state the reasons for this and the list(s) on which the tenderer and/or representatives of its company are included.</p>	<div style="background-color: #ffff00; height: 20px; border: 1px solid black; margin-bottom: 5px;"></div> <div style="background-color: #ffff00; height: 20px; border: 1px solid black; margin-bottom: 5px;"></div> <div style="background-color: #ffff00; height: 20px; border: 1px solid black;"></div>	
1.1.2	EnBW-Lieferantenportal		
F 1.1.2.1	EnBW-Lieferantenportal		

	Bezeichnung	Antwort	Kriteriengewichtung

Mit Unterzeichnung bestätigt der Bieter die Richtigkeit der von ihm gemachten Angaben.

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Datum, Unterschrift, Firmenstempel