

## Fragebogen zur Eignungsprüfung

	Bezeichnung	Antwort	Kriteriengewichtung
1	Zulassung Teilnahmeanträge		
1.1	Eignungs- und Teilnahmeantragsprüfung		
1.1.1	General information on the applicant structure		
F 1.1.1.1	<p><b>Specification of the applicant structure</b> Please indicate whether you are participating in the procedure as an</p> <p>1. single applicant or</p> <p>2. joint applicant</p> <p>in the tender. If you do not indicate this, it will be assumed that you will participate as an individual applicant. A subsequent change to a joint applicant is not possible.</p>		
F 1.1.1.2	<p><b>Details of the individual applicant or the authorized representative of the applicant group</b> Please enter the following information as an individual applicant or, in the case of a consortium, the details of the authorized representative of the consortium. Please use the template provided for this purpose.</p> <p>Name of the company:</p> <p>Company details Street, house number: Zip code, City, Country: Website: Sales Tax ID: DUNS number:</p> <p>Contact person Salutation: First Name, Last Name: Function/Position: Phone: Fax: E-mail: Street, house number: Postal code, city, country:</p>		

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	<p>If no information can be provided for a requested content (e.g. fax, DUNS number), please provide the following information: -/-</p>		
<p>F 1.1.1.3</p>	<p><b>Details of other members of the applicant consortium</b>                      In the case of a consortium, please copy the template below for each additional applicant. If you wish to participate in the procedure as an individual applicant, please indicate "Not applicable".</p> <p>Information to be submitted for each additional applicant in the consortium:</p> <p>Company Name:</p> <p>Company details                      Street, house number:                      Zip code, city, country:                      Website:                      Sales Tax ID:                      DUNS number:</p> <p>Contact person                      Salutation:                      First Name, Last Name:                      Function/Position:                      Phone:                      Fax:                      E-mail:                      Street, house number:                      Postal code, city, country:</p> <p>If no information can be provided for a requested content (e.g. fax, DUNS number), please provide the following information: -/-</p>	<div style="background-color: yellow; height: 30px; border: 1px solid black;"></div> <div style="background-color: yellow; height: 30px; border: 1px solid black;"></div> <div style="background-color: yellow; height: 30px; border: 1px solid black;"></div>	
<p>F 1.1.1.4</p>	<p><b>Suitability loan details</b>                      Please provide details here of the company(ies) on which a bidder/bidding consortium relies to prove its/their suitability ("Eignungsleihe", Section 47 SektVO).</p> <p>Declarations by the company(ies) involved in the suitability loan that the capacities required for the contract are available must be submitted at the request of the company issuing the invitation to tender.</p>	<div style="background-color: yellow; height: 30px; border: 1px solid black;"></div> <div style="background-color: yellow; height: 30px; border: 1px solid black;"></div> <div style="background-color: yellow; height: 30px; border: 1px solid black;"></div>	

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	<p>Companies on which an individual applicant or a group of applicants relies for proof of the required suitability must also submit individual proofs of suitability as evidence of suitability (for each suitability-lending company, the questionnaire for the Suitability Questionnaire_Teilnahmewettbewerb.pdf must be completed and submitted with "General information of the applicant" "Supplier Code of Conduct" and "Declarations").</p> <p>Please provide the information per suitability lending company as follows:</p> <p>Name of Suitability Lending Company:                      Street, house number:                      ZIP code, city, country:                      Website:                      VAT ID:                      DUNS number:                      Suitability criteria that the company is borrowing the suitability to prove:                      Extent of suitability loan:</p>		
<p>I 1.1.1.5</p>	<p><b>Information on subcontractors</b>                      Please indicate whether you can:</p> <p>1. provide all services covered by the contract themselves;                      or                      2. provide services by involving subcontractors.</p> <p>If you intend to involve subcontractors and they are already known, please provide information on all subcontractors already known.</p> <p>Details per planned subcontractor:                      Company details                      Street, house number:                      ZIP code, city, country:                      Website:                      VAT ID:                      DUNS number:</p> <p>If no information can be provided for a requested content (e.g. DUNS number),</p>	<div style="background-color: #ffffcc; border: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: #ffffcc; border: 1px solid black; height: 20px; margin-bottom: 5px;"></div>	

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	please provide the following information: -/-		
1.1.2	<b>Declarations</b>		
A 1.1.2.1	<p><b>Declaration on mandatory grounds for exclusion pursuant to Section 123 GWB (Ist Ausschlusskriterium)</b>                      We declare that NO person in our company who is a member of our administrative, management or supervisory body or who has powers of representation, decision-making or control therein has been convicted by a final court decision within the last 5 years of a violation of any of the following facts or that a fine (in Germany Section 30 OwiG) has been imposed on the company itself by a final court decision on account of these facts (corresponds in Germany to the catalog of Section 123 (1) GWB).</p> <p>1. Section 129 of the German Criminal Code [Strafgesetzbuch] (forming criminal organisations), Section 129a of the German Criminal Code (forming terrorist organisations) or Section 129b of the German Criminal Code (foreign criminal and terrorist organisations);</p> <p>2. Section 89c of the German Criminal Code (financing of terrorism) or for participation in such a crime or for the provision or collection of financial resources with the knowledge that such financial resources will be used or are intended to be used, wholly or in part, to commit a crime under Section 89a(2) no 2 of the German Criminal Code;</p> <p>3. Section 261 of the German Criminal Code (money laundering);</p> <p>4. Section 263 of the German Criminal Code (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;</p> <p>5. Section 264 of the German Criminal Code (subsidy fraud), provided that the criminal offence is directed against the budget of the European Union or against</p>	<p><input type="checkbox"/> Ja <input type="checkbox"/> Nein</p>	


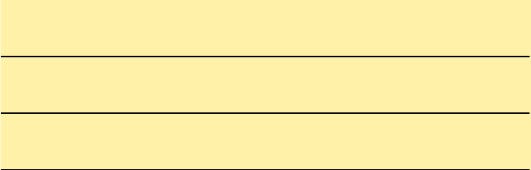
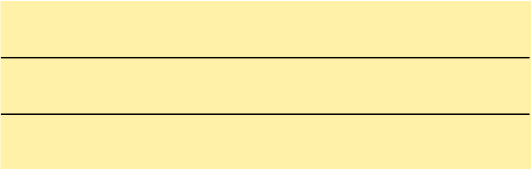
	Bezeichnung	Antwort	Kriteriengewichtung
	<p>budgets administered by the European Union or on its behalf;</p> <p>6. Section 299 of the German Criminal Code (taking and giving bribes in commercial practice), Sections 299a and 299b of the German Criminal Code (taking and giving bribes in the health sector);</p> <p>7. Section 108e of the German Criminal Code (corruption and bribery of elected officials) or Section 108f of the German Criminal Code (improper representation of interests),</p> <p>8. Sections 333 and 334 of the German Criminal Code (granting benefits and giving bribes), each also in conjunction with Section 335a of the German Criminal Code (foreign and international officials);</p> <p>9. Article 2 Section 2 of the German Act on Combating International Bribery [Gesetz zur Bekämpfung internationaler Bestechung] (Bribery of Foreign Public Officials in International Business Transactions) or</p> <p>10. Sections 232, 232a (1) to (5), Sections 232b to 233a of the German Criminal Code (human trafficking, forced prostitution, forced labour, exploitation of labour, exploitation involving deprivation of liberty).</p> <p>A conviction or the imposition of a fine within the meaning of the above-mentioned German provisions is equivalent to a conviction or the imposition of a fine under the comparable provisions of other countries.</p> <p>The conduct of a person convicted by final judgment is attributable to a company if this person acted as a person responsible for the management of the company; this also includes the supervision of the management or the other exercise of controlling powers in a managerial position.</p> <p>Furthermore, we hereby declare that our company meets its obligations to pay taxes, duties or social security contributions (in Germany pursuant to Section 123 (4) No. 1 GWB) and that no final court decision or</p>		

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	<p>final administrative decision has been issued in this respect, or that it has made payment or undertaken to pay the taxes, duties and social security contributions, including interest, late fees and penalties.</p> <p>Please confirm the declaration on mandatory grounds for exclusion pursuant to Section 123 of the ARC with "Yes" if you can provide the preceding declaration, or with "No" if you cannot provide the preceding declaration. If you are unable to provide a declaration in the above sense, please attach a cover letter to your application for participation stating the reasons for this.</p>		
<p>A 1.1.2.2</p>	<p><b>Declaration on optional grounds for exclusion pursuant to Section 124 GWB (Ist Ausschlusskriterium)</b>                      We hereby declare that there are NO grounds for exclusion with regard to our company pursuant to Section 124 GWB.</p> <p>§ Section 124 of the GWB reads as follows:</p> <ol style="list-style-type: none"> <li>1. the undertaking has demonstrably breached applicable environmental, social or labour obligations in carrying out public contracts;</li> <li>2. the undertaking is insolvent, an insolvency proceeding or a comparable proceeding over the assets of the undertaking has been filed or opened, the opening of such a proceeding has been denied for lack of assets, the undertaking is in liquidation proceedings or has ceased to do business;</li> <li>3. the undertaking has demonstrably committed grave professional misconduct which renders its integrity questionable; Section 123(3) shall apply mutatis mutandis;</li> <li>4. the public contracting authority has sufficient indications that the undertaking has concluded agreements with other undertakings or engaged in concerted practices which have as their object or effect, the prevention, restriction or distortion of competition;</li> </ol>	<p><input type="checkbox"/> Ja <input type="checkbox"/> Nein</p>	

	<b>Bezeichnung</b>	<b>Antwort</b>	<b>Kriteriengewichtung</b>
	<p>5. a conflict of interest exists in the execution of the procurement procedure which could compromise the impartiality and independence of a person working for the public contracting authority in the executing of the procurement procedure and which cannot be effectively remedied by other, less intrusive measures;</p> <p>6. a distortion of competition results from the prior involvement of the undertaking in the preparation of the procurement procedure, and such distortion of competition cannot be remedied by other, less intrusive measures;</p> <p>7. the undertaking has produced significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract or concession contract which led to an early termination, damages or other comparable sanctions;</p> <p>8. the undertaking has committed a serious misrepresentation or withheld information or is not able to submit the required evidence with respect to the grounds for exclusion or the selection criteria; or</p> <p>9. the undertaking</p> <p>a) has attempted to unduly influence the decision-making process of the public contracting authority;</p> <p>b) has attempted to obtain confidential information that may confer upon it undue advantages in the procurement procedure; or</p> <p>c) has negligently or intentionally provided misleading information that may have a material influence on the decision of the public contracting authority concerning the award decision, or has attempted to provide such information.</p> <p>(2) Section 21 of the Posted Workers Act [Arbeitnehmer-Entsendegesetz], Section 98c of the Residence Act [Aufenthaltsgesetz], Section 19 of the Minimum Wage Act [Mindestlohngesetz] and Section 21 of the Act to Combat</p>		

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	<p>Undeclared Work and Unlawful Employment [Schwarzarbeitsbekämpfungsgesetz] shall remain unaffected.</p> <p>Please confirm the declaration of optional grounds for exclusion pursuant to Section 124 of the ARC with "Yes" if you are able to make a previous declaration, or with "No. If you are unable to make a declaration in the above sense, please attach a cover letter to your application for participation stating the reasons for this.</p>		
A 1.1.2.3	<p><b>Declaration on sanctions</b> (Ist Ausschlusskriterium) The applicant warrants that no sanctions have been imposed by the European Union, the United States of America, the United Kingdom, Canada, or Australia against him or her, members of the applicant group, any group company, any person, organization, or entity (POE) that owns or controls the company or a group company, or any legal representative. The applicant warrants that neither he nor any group company nor any legal representative is resident or has its registered office in a country against which sanctions have been imposed by the European Union, the United States of America, the United Kingdom, Canada, or Australia, either against the country itself or against its government.</p> <p>Please confirm the above statements on sanctions with "Yes" if you can make the above statement, or with "No" if you cannot make the above statement. If you cannot make a statement in the above sense, please enclose a letter with your application for participation stating the reasons for this.</p>	<input type="checkbox"/> Ja <input type="checkbox"/> Nein	
A 1.1.2.4	<p><b>Self-declaration on further reasons for exclusion</b> (Ist Ausschlusskriterium) We declare that there is no reason for exclusion according to - § 21 SchwarzArbG (exclusion from public contracts) or - §§ 21, 23 para. 1, 2 AEntG (exclusion from awarding public contracts) - Section 98 c AufenthG - Sections 19, 21 (1), (2) of the German Minimum Wage Act (MiLoG)</p>	<input type="checkbox"/> Ja <input type="checkbox"/> Nein	

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	<p>as a result of a final conviction with a prison sentence of more than three months, a fine of more than 90 daily rates or as a result of a fine of more than EUR 2,500.00 for illegal employment.</p> <p>The applicant is also not aware of any current violation and no pending penalty notice as well as from the past three years against the company or the person(s) acting responsibly with regard to the aforementioned regulations.</p> <p>Please confirm the declaration on reasons for exclusion with "Yes" if you can make a preceding declaration, or with "No". If you are unable to make a declaration in the above sense, please attach a cover letter to your application for participation stating the reasons for this.</p>		
A 1.1.2.5	<p><b>Self-declaration for information to the contractor in case of changed circumstances regarding the self-declaration</b> (Ist Ausschlusskriterium)</p> <p>We hereby assure that we will immediately inform the contracting authority in writing if circumstances concerning the self-declaration should change after submission of the request to participate or after submission of a bid.</p> <p>Please confirm this self-declaration with "Yes" or "No".</p>	<input type="checkbox"/> Ja <input type="checkbox"/> Nein	
1.1.3	<p><b>General company information &amp; applicant declarations</b></p>		
F 1.1.3.1	<p><b>Fulfillment of legal obligations for registration in official directories</b></p> <p>We assure that our company complies with the legal obligations and - if required - has the mandatory entries in the official lists/ registers (including foreign ones) (e.g. entry in the register of craftsmen, trade register, chamber of architects and engineers, bar association, membership in the chamber of commerce and industry, professional register, etc...).</p> <p>If the professional or commercial activity is subject to mandatory registration in one of the registers listed in Annex XI to Directive</p>		

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	<p>2014/24/EU on public procurement, a printout of the registration that is not older than six months by the end of the participation application period. For bidders from Germany, the relevant registers are the Commercial Register, the Handicrafts Register, the Register of Associations, the Register of Partnerships or the lists of members of the professional chambers of the Länder.</p> <p>In the case of a bidding consortium, the document must be submitted separately by all members.</p> <p>Please confirm here that you comply with the entries in official directories with "Yes" or with "Not applicable" if there are no registration obligations. Foreign applicants are permitted to submit comparable proof.</p> <p>Please enclose a current excerpt from the register with your application for participation and state the name(s) of the plant(s) here.</p>		
<p>1.1.3.2</p>	<p><b>Data protection</b></p>		
<p>F 1.1.3.2.1</p>	<p><b>Declaration of compliance with data protection regulations</b>                      In particular, when collecting, processing or using personal data, can the application of the relevant provisions of data protection law be ensured in the event of a commission, especially the requirements regarding commissioned processing (Art. 28 GDPR)?</p> <p>Please confirm the declaration of compliance with data protection regulations with "Yes" if you can provide the preceding declaration or with "No" if you cannot provide the preceding declaration and state the reasons for this.</p>		
<p>F 1.1.3.2.2</p>	<p><b>Appointment of a company data protection officer</b>                      Has a company data protection officer been appointed for your company?</p> <p>If a company data protection officer has been appointed, please answer "Yes". If this is not the case, please answer "No" and</p>		

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	state the reasons.		
F 1.1.3.2.3	<p><b>Obligation of employees to regulations and duties of the DSGVO and/or TKG</b>                      Are the employees of your company obligated to the regulations and obligations of the GDPR and/or TKG?</p> <p>If yes, please answer with "Yes". If this is not the case, please answer "No" and state the reasons.</p>		
1.1.4	<b>Economic and financial performance</b>		
A 1.1.4.1	<p><b>Annual turnover of the last 3 completed financial years of the company/ applicant group</b>                      (1st Ausschlusskriterium)                      Please indicate the annual turnover of the last 3 completed financial years of the company/ applicant group (net, excl. VAT in EUR):</p> <p>(Note: the annual turnover of the company/ candidate consortium must exceed EUR 25 million on average over the last 3 years; The turnover of members of a candidate consortium is added together to meet the minimum requirement).</p>		
A 1.1.4.2	<p><b>Annual turnover of the last 3 completed business years of the company/ applicant group for comparable services</b>                      (1st Ausschlusskriterium)                      Please indicate the annual turnover of the last 3 completed financial years of the company/ applicant consortium attributable to services comparable to the tendered service (net, excl. VAT in EUR):</p> <p>* Comparable services are:                      - Rock Dumping                      - Seabed Works                      - Foundation Stabilization</p> <p>(Note: the annual turnover of the company/ candidate consortium must be above EUR 5 million on average over the last 3 years; the turnover of members of a candidate consortium is added together to meet the minimum requirement).</p>		
1.1.5	<b>Technical performance</b>		

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A 1.1.5.1	<p><b>Number of employees</b> (Ist Ausschlusskriterium) Please provide the number of employees for the last 3 completed fiscal years of the company/ applicant group:</p> <p>(Note: The employee numbers of the members of a candidate consortium are added together to meet the minimum requirement).</p>		
A 1.1.5.2	<p><b>Number of employees for the provision of comparable services</b> (Ist Ausschlusskriterium) Please indicate the number of employees in the last 3 completed fiscal years of the company/candidate group that provides/has provided services comparable to the service being advertised:</p> <p>* Comparable services are: - Rock Dumping - CPS Works/Services - Foundation Stabilization</p> <p>(Note: The employee numbers of the members of a bidding consortium are added together to meet the minimum requirement).</p>		
A 1.1.5.3	<p><b>Company references about comparable projects</b> (Ist Ausschlusskriterium) Please provide at least 3 comparable references from the past 5 years. The following information about the reference customer is required for the validity of the reference:</p> <p>- Name and legal form of the reference company - Contract value - Line of business - Contact details: First name, last name, role of contact person at the reference customer. - Contact details: Contact person's phone number - Contact information: Contact person's email address</p> <p>* Comparable services are: - Rock Dumping - CPS Works/Services - Foundation Stabilization</p>		

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	<p>If this information (industry, contact details) cannot be entered (e.g. for data protection reasons), a binding assurance is required as an alternative that, at the request of the company issuing the invitation to tender, the applicant will establish contact between the reference customer and the company issuing the invitation to tender within 5 working days. If neither the above-mentioned information is entered nor, alternatively, contact is established as required, the reference service will not be considered for the suitability evaluation (knock-out criterion for the reference).</p>		
<p>A 1.1.5.4</p>	<p><b>Proof of further qualifications</b> (Ist Ausschlusskriterium) Please provide proof of the requirements listed below in each case by uploading the relevant qualifications and refer to the attachments here:</p> <ul style="list-style-type: none"> <li>- Proof of a QM system according to DIN EN ISO 9001 (manual, certificate, etc.), proof valid for the contractor. The contractor is in turn responsible for the performance quality of the subcontractors (even if they are not qualified according to DIN EN ISO 9001).</li> </ul>	<div style="background-color: #ffffcc; height: 30px; border: 1px solid black;"></div> <div style="background-color: #ffffcc; height: 30px; border: 1px solid black;"></div> <div style="background-color: #ffffcc; height: 30px; border: 1px solid black;"></div>	
<p>A 1.1.6</p>	<p><b>Signature</b> (Ist Ausschlusskriterium) We hereby affirm that no incorrect declarations regarding grounds for exclusion or suitability criteria have been made or information withheld in the award procedure with regard to the declarations and evidence required of our company and are aware that the provision of incorrect declarations and evidence may lead to exclusion from the award procedure.</p> <p>Please enter here the name of the person making the legally binding declaration on behalf of the company/candidate consortium (electronic signature in text form).</p>	<div style="background-color: #ffffcc; height: 30px; border: 1px solid black;"></div> <div style="background-color: #ffffcc; height: 30px; border: 1px solid black;"></div> <div style="background-color: #ffffcc; height: 30px; border: 1px solid black;"></div>	