Procurement Procedures at TU Berlin

I. Legal Foundation

Certain legal norms have to be complied with regarding the awarding of public contracts and throughout the procurement process. The following are the most important regulations directly affecting procurement at TU Berlin:

- Berlin State Budget Code (Landeshaushaltsordnung - LHO) - including implementation regulations (AV LHO)
- Regulations for Awarding Public Contracts (Vergabeverordnung - VgV)
- Sub-Threshold Procurement Ordinance (Unterschwellenvergabeordnung - UVgO) (before awarding contracts)
- Procurement and Contracting Regulations for Services - Part B (Vergabe- und Vertragsordnung für Leistungen Teil B (VOL/B) (with legal provisions after the awarding of contracts)
- Public procurement law for construction services is regulated in the Construction Contract Ordinance (Vertragsordnung für Bauleistungen - VOB) and not in UVgO
- Budget Guidelines (Haushaltstechnische Richtlinien - HtR)
- Berlin Public Tendering and Awarding Act (Berliner Ausschreibungs- und Vergabegesetz - BerlAVG)
- Berlin Corruption Register Act (Berliner Korruptionsregistergesetz - KRG)
- Administrative Regulation for Procurement and the Environment for Supply, Construction and Services (Verwaltungsvorschrift Beschaffung und Umwelt - VwVBU)
- Advancement of Women Act (Frauenförderverordnung - FFV)

Pursuant to Section 55 (1) of the Berlin State Budget Code (LHO), the contracting authority is required to invite tenders before a contract for supplies and services can be concluded. It is therein stated that, in principle, tenders are to be invited for all planned procurements. Section 8 of the Sub-Threshold Procurement Ordinance (UVgO), however, describes three different models for awarding contracts (as well as conditions under which exceptions apply), whereby different regulations must be complied with depending on the type and value of the contract. The reasons for all decisions are to be officially recorded!

Berlin Public Tendering and Awarding Act - BerlAVG

This act is to be complied with when awarding contracts for supplies and services (including construction contracts). It regulates the requirements or minimum standards a contractor is required to comply with regarding minimum hourly rates of pay, sustainable procurement, compliance with ILO core labor standards, the advancement of women, and the prevention of disadvantages. Contractors are required, by means of standardized self-declarations and special contract conditions to be submitted together with the contract documents, to declare their compliance with these requirements and minimum standards. Details can be viewed in BerlAVG and in the special contract conditions. Forms can be obtained via the contract registry of the state of Berlin (https://www.berlin.de/vergabeservice/vergabeleitfaden/formulare/).

Please note: All available English-language versions of declarations can be viewed on the website of the Central Contract Awarding Office.

Website of the TU Berlin Central Contract Awarding Office

Corruption Register / Central Trade Register

Before awarding a contract, contracting authorities in Berlin are further required, pursuant to the Corruption Register Act and for all types of public contracts with a contract value of EUR 15,000 gross and above, to consult the corruption register maintained by the Senate Department for Urban Development and Environment for any acts of corruption therein recorded, as well as other infringements regarding legal issues or business operations (particularly relating to illicit employment, tax non-compliance, anti-competitive dealings and other infringements which impede free competition).
Restricting inquiries to juridical persons (i.e. non-human legal entities) only is generally of very limited value, particularly if a person re-assumes a position of active responsibility in a company. Consequently, entries in the corruption register are for natural persons and inquiries should be made accordingly. It is only possible to identify the legal representatives as well as the executive partners in the case of partnerships if the contract awarding office has access to their data. This includes last names, first names, date of birth and place of birth (see also Section 5 (1), no. 5 KRG). The candidate/tenderer must provide the data required in the self-declaration regarding suitability (Wirt-124).

For contract values of EUR 30,000 gross and above, the public contracting authority is further required, in accordance with Section 21 (4) of the Posted Workers Act (Arbeitnehmerentsendegesetz - AEntG) and Section 19 (4) of the Minimum Wage Act (Mindestlohngegesetz - MiLoG), to obtain a disclosure from the central trade register, in accordance with Section 150a of the Trade Regulation Act (Gewerbeordnung), concerning the prospective contractor before awarding the contract. The tenderer must also provide the necessary information in the self-declaration regarding suitability (Wirt-124).

Administrative Regulation for Procurement and the Environment - VwVBU
This administrative regulation applies to the awarding of all supply, construction and service contracts with an estimated contract value of EUR 10,000 net or above. A feasible working basis is to be established to ensure sustainable procurement, taking account of both the financial interests of the contracting authority and environmental considerations. Before the procurement of products, preliminary considerations should be given to a range of issues, including different subjects of agreement (such as different drive systems or vehicle sizes), different types of contract (purchase/lease), different technical concepts or products (such as inkjet printers or laser printers). Life cycle costs (future costs incurred during the operating life of the product) should be taken into account when evaluating tenders, such as in the case of vehicles or electrically-powered items such as cooling devices or monitors. There are also specific environmental requirements (Leistungsblätter) which need to be complied with for a range of products. These requirements as well as tables for calculating life-cycle costs can be accessed via http://www.stadtentwicklung.berlin.de/sen/uvk/service/gesetzestexte/de/beschaffung/

Advancement of Women Act - FFV
This relates primarily to contracts for supplies and services with a value of at least EUR 25,000 gross or EUR 200,000 gross for construction contracts. Such contracts must record the contractor’s undertaking to implement measures for the advancement of women and the advancement of the compatibility of family and work within their own company as well as their undertaking to comply with current legislation on equal treatment. Notifications of tender for contracts for which the Advancement of Women Act applies must include, as a minimum requirement, the following text: “Pursuant to the Advancement of Women Act, tenderers and candidates are required to submit a suitable declaration together with their tenders. Tenders that do not include a declaration or for which the declaration is incomplete pursuant to Section 1 (2) FFV will not be considered”. Moreover, tenders for supply and service contracts must include the special contract conditions and declaration pursuant to Section 1 (2) FFV Wirt - 2141 (Form available from the Vergabeservice Berlin).

As a reporting obligation to the Berlin Senate Department for Economics, Technology and Women applies for procurements of EUR 10,000 gross and above, the TU internal form for data collection concerning the advancement of women (Datenerhebungsboigen zur Frauenförderung) must also be submitted for statistical purposes together with the check note (Angebotsprüfermerk).
II. Awarding Contracts

1. Europe-wide tender for supply and service contracts

For contracts with an estimated value exceeding EUR 214,000 (without VAT) a Europe-wide tendering process (open procedure) is required. Special provisions apply for awarding contracts within the EU. For more details, please refer to the Regulations for Awarding Public Contracts (VgV) - formerly VOL/A – EG.

For questions regarding procedures as well as for guidance on the tendering process, please contact the Submissions Office within the Central Contract Awarding Office - K2 V (vergabestelle@tu-berlin.de).

2. Open tendering for supply and service contracts

For open tendering, an unrestricted number of businesses are requested to submit a tender. The procedure regarding open tendering is regulated in Sections 8 to 48 UVgO. These regulations must be strictly complied with.

The offer to tender is published via the electronic notification platform for the state of Berlin (www.berlin.de/vergabeplattform/). An appropriate deadline should be set for submitting tenders; thereafter the witnessed opening of the tenders commences. All tenders submitted are to remain unopened until this point. A form (Wirt 351) is to be completed detailing the opening and assessment of the tenders as well as the intended awarding of the contract. This session is not open to the public.

Once the deadline for submitting tenders has expired, all tenders received will be evaluated and a decision made concerning the awarding of the contract. Tenders submitted after the deadline will not be considered.

Procurements and development projects exceeding EUR 250,000 (or EUR 100,000 in the case of vehicles) are, in accordance with no.15.8 HtR, to be recorded in the budget as a single title. An application is to be submitted to III FIMA 2/21 in this respect.

Major instrumentation
Should the contract value exceed EUR 200,000 (for major instrumentation the costs of the individual device plus fixtures), applications for procurement must be submitted as “joint-task, large-scale facilities for scientific research, including major instrumentation, of supra-regional significance, in accordance with article 91b (1) no. 3 of the Constitution” or, in the case of the continued use of existing university facilities, according to Article 143c of the Constitution. Further information regarding procedures can be obtained from the Department of Finance (III A). It should be noted that, irrespective of the procedure chosen, procurement may only take place after approval for the application from the Senate.

After the application has been assessed by TU Berlin, the application papers are to be forwarded to the Berlin Senate Department for Education, Youth and Family). Decisions regarding the acceptance of a project into the joint funding program are made by the planning board of the federal government on the basis of a report from the German Research Foundation.
3. **Restricted tendering with or without a call for competition for supply and service contracts**

Unlike open tendering and open procedures, restricted tendering requires that only a limited number of companies be requested in writing to submit tenders. Apart from the obligation to publish a call, the procedure for restricted tendering is similar, from a legal point of view, to open tendering (UVgO also applies to both procedures). Instead, TU Berlin has the option to either invite tenders by publishing a call (restricted tendering with a call for competition) or by directly inviting companies to submit a tender (restricted tendering without a call for competition). Restricted tendering with a call for competition may be used for contracts with a value up to EUR 214,000 (excluding VAT). Restricted tendering without a call for competition may be used if the estimated total value for a procurement is less than EUR 100,000 (excluding VAT) (No. 3.3.1, implementation regulations, Section 55 LHO).

Only in specific circumstances, such as when there is a very limited number of businesses offering a service in the market, when there is a need for confidentiality and secrecy, or as a result of an open tendering which failed to find a suitable contractor, is it possible to use the option of restricted tendering without a call for competition to replace an open tendering or a restricted tendering with a call for competition. Further details can be found in Section 8 (3) UVgO.

The following procedure applies for restricted tendering without a call for competition at TU Berlin: A minimum of six companies must be invited to submit a tender in writing. This is done by sending the tendering documents in a separate letter (invitation to tender) to the companies.

**For estimated contract values of EUR 25,000 and above (excluding VAT), restricted tendering pursuant to no. 8.2 of the implementation regulations of Section 55 LHO must be conducted as part of an electronic contract awarding procedure, i.e. via the awarding platform of the state of Berlin ([www.berlin.de/vergabeplattform](http://www.berlin.de/vergabeplattform))!** An appropriate deadline is to be set for the submission of tenders, upon expiry of which a witnessed opening of the tenders will take place. All tenders submitted are to remain unopened until this point. A form ([Wirt 351](http://www.berlin.de/vergabeplattform)) is to be completed detailing the opening of the tenders. This session is not open to the public.

Once the deadline for submitting tenders has expired, all tenders received will be assessed and a decision made concerning the awarding of the contract. Tenders submitted after the deadline will not be considered.

4. **Negotiated tendering with or without a call for competition for supply and service contracts**

For contract values under EUR 10,000 (excluding VAT), negotiated tendering with or without a call for competition is also possible (No. 3.3.2 of the implementation regulations, Section 55 LHO). In the case of negotiated tendering with a call for competition, businesses are invited, by means of a publication of the contract notice, to participate in a negotiated tendering. In restricted tendering without a call for competition, contracts are awarded without the formal tendering process. Nevertheless, even for negotiated tendering, at least three written tenders have to be obtained from three different service providers for the purposes of comparing tenders. If the decision to use negotiated tendering is based on there only being one suitable service provider (e.g. Section 8 (4), no. 9 of the UVgO), then a single tender suffices.

For expected contract values of EUR 1,000 or less (excluding VAT), a comparison of prices, for example prices published in catalogs or on the Internet, is sufficient and there is no requirement to obtain individual written tenders. (Section 14 UVgO and no. 3.9 of the implementation regulations, Section 55 LHO).
Verbal or telephone inquiries, however, are not sufficient. The result of the informal price comparison must be recorded.

Negotiated tendering with or without a call for competition for contract values exceeding EUR 10,000 (excluding VAT) is only possible, in accordance with Section 8 (4) UVgO, if:

1. The contract includes conceptual or innovative solutions;
2. The contract cannot be awarded without prior negotiation due to specific circumstances relating to the nature, the complexity or legal or financial framework, or to the associated risks;
3. The service to be provided cannot be described with sufficient clarity or detail in terms of its nature and scope, in particular regarding its technical requirements, to enable comparable tenders to be submitted;
4. In the case of a suspended open or restricted tendering, repeating the tendering process is unlikely to result in a financially advantageous outcome;
5. The requirements of the contracting authority cannot be met without adapting existing solutions;
6. The contract is intended for the supply of goods or provision of services for the completion of scientific, technical and specialist projects in the areas of research, development and analysis but not for the purpose of maintaining the general ongoing operations or infrastructure of a department of the contracting party;
7. Contracts need to be awarded for reasonable sums and for reasonable periods of time on conclusion of work to those businesses involved in the development work;
8. An open tendering or a restricted tendering with or without a call for competition would entail an expenditure on the part of the contracting party or the candidates or tenderers disproportionate to the benefits gained or the value of the service provided;
9. The supplies or services are particularly urgently required for reasons which could not have been foreseen by the contracting authority and which are not attributable to the actions of the contracting authority;
10. The supplies or services can only be provided by a particular company;
11. The contract is for the supply of goods listed and acquirable on a commodity exchange;
12. Goods or services are to be procured from the original contractor for the following reasons:
   a) They are intended to partially renew or extend goods or services already provided;
   b) A change in company would result in the contracting authority having to buy supplies or services with different technical features; and
   c) This change would result in technical incompatibility or disproportionate technical difficulties in use and maintenance;
13. Replacement parts or accessories for machines and instruments need to be procured from the original supplier and cannot be obtained from another supplier in sufficient quality or at economically viable terms;
14. There is an opportunity for a more financially favorable procurement than would be the case if open or restricted tendering were used;
15. It is necessary for reasons of security, confidentiality or secrecy;
16. The public contract is to be awarded exclusively
a) To workshops for people with disabilities or to businesses whose main purpose is the social and professional integration of people with disabilities or disadvantaged people; or

b) To correctional facilities; or

17. If the implementing regulations of a federal or state ministry allow up to a certain maximum value (value limit); such a value limit may also be set for the awarding of supply and service contracts of an office located abroad or of an office located in Germany which procures a good or service from abroad in order to meet a need arising abroad.

As an exception, the following applies in accordance with Section 8 (4), no. 6 UVgO:

As part of the German federal government’s regulations regarding scientific freedom of initiative (from 30 July 2008), which define the foundations for greater autonomy and flexibility for non-university research, it was decided to permit a relaxing of procurement measures for non-university institutes (for example, Fraunhofer Institutes, Max-Planck Institutes, Helmholtz Centers and DFG).

This was subsequently codified in Section 8 (4) UVgO under no. 6.
The regulation whereby contracts for services for the purposes of conducting in-house research, development and analysis projects, and where the value is below the threshold, may be awarded by direct contract is closely connected to former Section 3 EG (4) letter b) and is intended for the supply of goods manufactured for the purposes of research, experiments, development or improvement (but does not apply to batch production). This does not apply to any general procurement procedures (such as for the maintenance of day-to-day operations or for infrastructural purposes)! The services provided have to be for the direct purpose of research or development, require a justification and may not be a standard product serving as a supplementary support to development-related activities or experiments.

This regulation within UVgO is also valid for all other users who do not belong to the above-mentioned focus of the research institutions due to the general validity of the sub-threshold allocation regulation. Use of an appropriately simplified procedure must be justified in detail.

Supply or service contracts cannot be split in order to avoid open or restricted tendering.

III. Choosing a tenderer and placing an order

Contracts for supplies and services are only to be concluded with efficient, reliable and competent businesses.

The business and supplier directory for public contracts (ULV) - VOB and UVgO - of the Senate Department for Urban Development and the Environment lists businesses which are deemed to be efficient, reliable, competent and law-abiding according to Section 6 of the Construction Contract Procedure (VOB/A), Section 31 of the Sub-Threshold Procurement Ordinance (UVgO) and Section 122 of the Act Against Restraint of Competition (GWB). The ULV directory is intended to simplify the process of awarding public contracts for both public contracting authorities as well as contractors. Inclusion in the directory means that the requisite, non-contract specific, itemized proofs concerning efficiency, competence and reliability required by the public contracting authorities for the purpose of awarding a contract pursuant to Section 6b VOB/A and Section 35 UVgO are deemed to have been provided. Should a business not be registered in the directory, the requisite self-declaration has to be submitted along with each order or contract. It should be noted that not all self-declarations which may be required are necessarily deemed as provided by inclusion in the ULV directory.
For example, the self-declaration regarding the advancement of women (Wirt-2141) is as yet not covered by inclusion in the directory. The self-declarations required are provided in the table at the end of this text organized according to the value of the contract. The checking of the efficiency, reliability and competence of a potential candidate/tenderer is to be conducted by the department inviting the tenders before requesting an offer. Ascertaining the efficiency of a business also includes evaluating its ability to meet necessary capacity during the planned period of performance.

Tendering, the collecting of tenders for the purposes of making a comparison and self-declarations are not required for articles procured as part of a framework contract with TU Berlin, as such contracts have been previously established on the basis of a tendering process. More detailed information concerning procurement using framework contracts is available from Purchasing or the ZECM.

To conclude the decision process concerning procurements, a check note or Angebotprüfvermerk (Angebotsprüfvermerk) for tenders has to be completed providing a transparent and clear justification for the choice of contractor. If a restricted tendering or direct award contract procedure was selected instead of a public or restricted invitation to tender for one of the reasons specified in UVgO, then this anomaly must be thoroughly justified here or attached as an appendix. All other divergences from standard proceedings, such as the absence of tenders for comparison (for example in the case of late submission, or where there is only one contractor in the market) must also be recorded and justified. Independent of this, however, and in accordance with Section 6 UVgO, the entire procurement process must be documented from the very outset in such a way that the individual steps in the process, the individual measures as well as the justifications for the individual decisions taken are properly recorded.

Before placing an order, the payment terms of the supplier should be checked as TU Berlin does not make advance payments. Only in very rare cases is an agreement to make partial prepayment permissible (Section 56 LHO). For further information, please contact III FIMA 2/21.

If the contract value exceeds EUR 150 gross, a written placement of order is required in accordance with no. 11.1 of the implementation regulations, Section 55 LHO. Only TU numbered order forms may be used for this purpose. A signature in the field “Bescheinigung der Bedarfsstelle” on the second copy of the order form confirms the accuracy of the information and the justification for the order.

Order forms for procurements of consumer goods can be signed for by a person with power of representation (authorization to order) within the relevant institute (up to a value of EUR 5,000 gross) or by the faculty administration. Authorizations to order are assigned to specific persons and are only transferable upon application using the appropriate form (quick access 50816).

For contract values in excess of EUR 10,000 gross, irrespective of the type of financing (budget or third-party funds), the order form and fully completed and signed check note or alternatively a written report together with all tenders submitted, including self-declarations and, when applicable, further documents justifying the choice of contractor, are to be sent to K2 – the Central Contract Awarding Office.

For the procurement of goods which are part of an investment-related general measure and whose contract value is below EUR 5,000 gross, the following comment must be added to the second (green) copy of the order form: “Constitutes part of an indivisible investment general measure name of the measure’ with a total value of EUR…. “.

After the order form has been signed and a booking commitment created by Section III B, the order form, along with all submitted documents, is to be passed to the academic chair so that the order can be triggered.
Pursuant to Section 46 (1) UVgO, the contracting authority must inform each candidate and tenderer of the awarding of the contract without delay. Additionally, in accordance with Section 46 (1) UVgO, all tenderers who were not selected are to be informed as soon as possible and at the latest within 15 days of receipt of their tender of the reasons why their offer was not successful, the name of the successful tenderer as well as the main strengths and advantages of the successful tender. In the case of calls for tender/awarding of contracts which involved a call for competition, the unsuccessful candidates must be informed of the reasons for not being selected.

Furthermore, for restricted tendering and negotiated tendering with a contract value of EUR 25,000 and above (excluding VAT) conducted without a preceding call for competition, information must be provided concerning the measure taken, in accordance with the requirements of Section 30 (1) UVgO. The publication of the contract notice is valid for a period of three months and is organized centrally by the Central Contract Awarding Office.

Tendering documents are to be retained for 6 years in accordance with LHO.

For further information and questions concerning specific cases, please contact K2 V - the Central Contract Awarding Office.

- K2 V L - N.N. 314-23539
  Head of Central Contract Awarding Office

- K2 V 21 - Angie Barow (angie.barow@tu-berlin.de)
  314-25082
  Deputy Head of Central Contract Awarding Office

- K2 V 11- Inga Kiep (nga.kiep@tu-berlin.de)
  314-22146
  Head of Submissions Office

- K2 V 12 - Andreas Knopp (a.knopp@tu-berlin.de)
  314-24943
  Staff member at Submissions Office

- K2 V 13- Kirsten Grégoire (kirsten.gregoire@tu-berlin.de)
  314-22125
  Staff member at Submissions Office

- K2 V 14 - N.N. 314-
  Staff member at Submissions Office
IV. Further Information

**Forms**

- Check notes (Angebotsprüfvermerk), data collection forms concerning the advancement of women (Datenerhebungsbo gen zur Frauenförderung) and memoranda are TU forms and available via the website of the Awarding Office.  
  Website of the TU Berlin Contract Awarding Office

- General UVgO forms from the contract registry for the state of Berlin such as notifications, requests for tenders, self-declarations (Wirt...) etc.  
  http://www.berlin.de/vergabeservice/vergabeleitfaden/formulare/

- All available English-language declarations are available on the homepage of the Contract Awarding Office.  
  Homepage of the TU Berlin Awarding Office

- Order forms – only available as carbonless copy paper forms from:  
  - Faculty Service Centers for faculty staff  
  - III FIBU II - 2 for central administration and central institution staff
**Procurement** with a contract value (without VAT) including additional costs

- **Over EUR**
  - Open tendering/restricted tendering with a call for competition
    - Tendering with all formalities (publication of contract notice, opening of tenders with minutes etc.)
    - For assistance, contact the Submissions Office.
    - **EUR 250,000 and above**: create new title (contact III A 2/21)
    - **EUR 214,000 and above (w/o VAT)**: Europe-wide tendering

- **Over EUR 10,000 and up**
  - Restricted tendering without a call for competition
    - Request to submit a written tender from at least six separate companies, followed by a record of the opening of tenders. **EUR 25,000 net estimated costs and upwards**: Processed electronically on the Berlin awarding platform!

- **Up to EUR**
  - Negotiated tendering
    - A minimum of three written tenders
    - (Under EUR 1,000: price comparison)

**Over EUR 10,000 and above (w/o VAT):**

- **Comparison of tenders and selection of the most favorable when viewed overall**

- **Memorandum of the opening of tenders**

- **Written placement of contract** using a numbered TU internal order form

- **Signature in the field “Bescheinigung der Bedarfsstelle” - 2nd page of the order form**

- **Signing of the order form upon submission of the offers and reasons for selection**

**Procurements up to EUR 10,000 (gross)**

- **Procurements up to EUR 5,000**
  - Checked in terms of procurement law by K 2
  - Budgetary funds: to III A 2/21

- **Procurements up to EUR 10,000**
  - Up to EUR 10,000
  - Written placement of contract for values of only up to EUR 150
  - or verbal placement of contract for values of only up to EUR 150
  - Third-party funding: to Department V (V C / V E)
  - Academic chair/institute
  - Faculty Service Center

**Procurements over EUR 10,000 (gross)**

- **Up to EUR 5,000**
  - Checked in terms of procurement law by K 2
  - Budgetary funds: to III A 2/21

- **Up to EUR 10,000**
  - Written placement of contract for values of only up to EUR 150
  - Third-party funding: to Department V (V C / V E)
  - Academic chair/institute
  - Faculty Service Center

**Faculty Service Center**

**Procurements over EUR 10,000 (gross)**

- **Written placement of contract** using a numbered TU internal order form
  - or verbal placement of contract for values of only up to EUR 150
  - Written placement of contract using a numbered TU internal order form
  - Third-party funding: to Department V (V C / V E)
  - Academic chair/institute
  - Faculty Service Center

**Written placement of contract** using a numbered TU internal order form

- **Signature in the field “Bescheinigung der Bedarfsstelle” - 2nd page of the order form**

- **Signing of the order form upon submission of the offers and reasons for selection**

**Procurements over EUR 10,000 (gross)**

- **Written placement of contract** using a numbered TU internal order form
  - or verbal placement of contract for values of only up to EUR 150
  - Written placement of contract using a numbered TU internal order form
  - Third-party funding: to Department V (V C / V E)
  - Academic chair/institute
  - Faculty Service Center

**Written placement of contract** using a numbered TU internal order form

- **Signature in the field “Bescheinigung der Bedarfsstelle” - 2nd page of the order form**

- **Signing of the order form upon submission of the offers and reasons for selection**

**Procurements over EUR 10,000 (gross)**

- **Written placement of contract** using a numbered TU internal order form
  - or verbal placement of contract for values of only up to EUR 150
  - Written placement of contract using a numbered TU internal order form
  - Third-party funding: to Department V (V C / V E)
  - Academic chair/institute
  - Faculty Service Center

**Written placement of contract** using a numbered TU internal order form

- **Signature in the field “Bescheinigung der Bedarfsstelle” - 2nd page of the order form**

- **Signing of the order form upon submission of the offers and reasons for selection**
Overview of contract values / threshold value as well as forms and declarations required for the awarding of supply and service contracts (net values - without VAT)

<table>
<thead>
<tr>
<th>Contract values / threshold value</th>
<th>Type of tendering</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to EUR 1,000.00</td>
<td><strong>Direct award</strong></td>
</tr>
<tr>
<td></td>
<td>(Simple price comparison)</td>
</tr>
<tr>
<td>Up to EUR 10,000.00</td>
<td><strong>Negotiated tendering</strong></td>
</tr>
<tr>
<td></td>
<td>(minimum of six businesses must be invited to submit a tender in writing)</td>
</tr>
<tr>
<td>Up to EUR 100,000.00</td>
<td><strong>Restricted tendering</strong></td>
</tr>
<tr>
<td></td>
<td>(minimum of six businesses must be invited to submit a tender in writing)</td>
</tr>
<tr>
<td>Up to EUR 213,999.99</td>
<td><strong>Open tendering</strong></td>
</tr>
<tr>
<td>EUR 214,000.00 and above</td>
<td><strong>Europe-wide tendering</strong></td>
</tr>
<tr>
<td></td>
<td>(Open tendering)</td>
</tr>
</tbody>
</table>
All awarding procedures for EUR 25,000 and above (net) must be displayed online on the Berlin awarding platform! These tendering procedures are conducted jointly with the Central Contract Awarding Office!

<table>
<thead>
<tr>
<th>Obligatory requirements / declarations</th>
<th>Negotiated tendering</th>
<th>Restricted tendering (up to EUR 25,000 net)</th>
<th>Obligatory requirements / declarations</th>
<th>Restricted tendering (EUR 25,000 net and above)</th>
<th>Public tendering</th>
<th>Open procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following documents are to be completed and submitted by the unit:</td>
<td>Wirt-111 Memorandum on preparing an award (cover sheet)</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offer inspection sheet, reasons in case of deviation from the standard, evaluation matrix, order form, offers including invitation to tender, rejections</td>
<td>Wirt-111.5 Memorandum on preparing an award</td>
<td>x</td>
<td>x</td>
<td>x Wirt-111.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wirt-124 UVgO Self-declaration regarding suitability*</td>
<td>x</td>
<td>x</td>
<td>x Wirt-124 EU</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The following forms are to be completed by the tenderer and submitted with the file:</td>
<td>Wirt-214 Special contract conditions regarding minimum hourly rates of pay</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wirt-124 UVgO Self-declaration regarding suitability*</td>
<td>x</td>
<td>x</td>
<td>x Wirt-124 EU</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wirt-214 Special contract conditions regarding minimum hourly rates of pay from EUR 10,000 (net)</td>
<td>x</td>
<td>x</td>
<td>x</td>
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</tr>
<tr>
<td>Wirt-2141 Special contract conditions regarding the advancement of women</td>
<td>x</td>
<td>x</td>
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<tr>
<td>Wirt-2140.1 Self-declaration regarding compliance with ILO core labor standards from EUR 10,000 (net)</td>
<td>x</td>
<td>x</td>
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<tr>
<td>Wirt-2143 Special contract conditions regarding prevention of disadvantages</td>
<td>x</td>
<td>x</td>
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</tr>
<tr>
<td>Wirt-2144 Special contract conditions regarding controls and sanctions in accordance with the Berlin Tendering and Awarding Act</td>
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<td>x</td>
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</tr>
<tr>
<td>Wirt-2143 Special contract conditions regarding prevention of disadvantages from EUR 10,000 (net)</td>
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<td>x</td>
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</tr>
<tr>
<td>Wirt-2144 Special contract conditions regarding controls and sanctions in accordance with the Berlin Tendering and Awarding Act from EUR 10,000 (net)</td>
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</tr>
<tr>
<td>Internal data collection form in accordance with the Advancement of Women Act (FFV) from EUR 10,000</td>
<td>x</td>
<td>x</td>
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<tr>
<td>After the Central Contract Awarding Office has awarded the contract, the following must be submitted:</td>
<td>Order form</td>
<td>x</td>
<td>x</td>
<td>x</td>
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</tr>
<tr>
<td>Internal data collection forms in accordance with the Advancement of Women Act (FFV)</td>
<td>x</td>
<td>x</td>
<td>x</td>
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<tr>
<td>(net)</td>
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</tr>
</tbody>
</table>

* Information regarding submitting an inquiry to the central trade register and the corruption register can be found in Wirt-124