

This document is a non-binding translation but only serves as assistance for tendering. Please consult the relevant call for tender at www.evergabe-online.de for the legal binding documents. DO NOT fill and submit any translated form. Matters of law will ONLY be ruled upon based on German-language documents.

Annex to Contract Award Document
"Information on available legal remedies"

Information on available legal remedies

Undertakings are entitled to claim that the contracting authority, the Federal Republic of Germany, represented by the Procurement Office of the Federal Ministry of the Interior, complies with the provisions protecting bidders and candidates in the contract award procedure.

If an undertaking interested in the contract feels that its rights have been violated by non-compliance with the provisions governing the awarding of public contracts, the undertaking must complain about this violation to the Procurement Office within a time limit of ten calendar days (Section 160(3), first sentence, no 1 of the Act against Restraints of Competition (GWB)). Violations which become apparent from the tender notice or the procurement documents must be notified to the Procurement Office by the end of the time limit for the application or the submission of a tender specified in the notice (Section 160(3), first sentence, nos 2 and 3 GWB).

If the Procurement Office notifies the undertaking that it is unwilling to redress the objection, the undertaking can file an application for review to the public procurement tribunal within 15 calendar days of receipt of notification (Section 160(3), first sentence, no 4 GWB).

Unsuccessful tenderers shall be informed prior to the award of the contract in accordance with Section 134(1) GWB. A contract may be concluded at the earliest 15 calendar days after the information has been sent by the Procurement Office; if the information is transmitted by fax or electronically, the standstill period shall be ten calendar days. This period shall begin on the day after which the Procurement Office dispatches the information.

An application for review shall be submitted in writing to the "Vergabekammer des Bundes beim Bundeskartellamt" (Public Procurement Tribunal at the Federal Cartel Office), Vilemombler Straße 76, 53123 Bonn.

Note: In the event of an application for review, the Procurement Office shall forward to the public procurement tribunal the award files including the tenders submitted. The parties concerned have the right to inspect files. In order to protect business and trade secrets, please let us know specifically which information is to be treated as secret, making reference to the relevant documents which form part of the tender.