

## - C h e c k l i s t -

*The application for review should contain the following information:*

**1. Award of the contract:**

The contract has not yet been awarded.

**2. Contract volume:**

The total value of the contract reaches the following thresholds:

a. supply and service contracts:

I. as a rule the threshold in the area of supreme and higher federal authorities is 133.000 €

II. in the area of all other traditional contracting entities it is: 206.000 €

III. in the case of a sectoral contracting entity: 412.000 €

b. building contracts: 5.150.000 €

**3. Contracting entity:**

The contracting entity is a public contracting entity. The contract is to be attributed to the Federation (otherwise a public procurement tribunal of the Länder is responsible).

**4. Objection:**

Objections to violations of the provisions governing the awarding of public contracts must be made to the contracting entity *before* filing the application and without undue delay (as a rule no later than a few days). In the case of a violation which is already apparent in the official announcement the objection must be made within the deadline for submitting the bids.

**5. Violations of the provisions governing the awarding of public contracts:**

Please give details of the violation of the provisions governing the award of public contracts of which the contracting entity is accused.

**6. Damage:**

You should explain in the application what effects to your disadvantage the violation of the provisions on awarding public contracts may have: Did you have a reasonable chance of winning the award which was lessened by the violation? If possible, please submit the bidding records.

**7. Advance payment:**

The precondition for the service of the application by the public procurement tribunal is an advance payment of a minimum fee of €2,500 (Advice to § 128 Abs. 1 of the Act against Restraints of Competition/ARC - Gesetz gegen Wettbewerbsbeschränkungen, GWB)

(Payment into the account "Deutsche Bundesbank - Filiale Saarbrücken ", account number 590 010 20, (bank sorting code 590 000 00) quoting a specific reference. This should be requested from the Public Prosecution Tribunal of the Bundeskartellamt before payment  
Phone (0228) 94 99-4 21/5 61/5 78. For international transfers the Bank Identification Code MARKDEF 1590 and the International Bank Account Number of the Deutsche Bundesbank DE81 5900 0000 0059 0010 20 should also be quoted).

**8. Evidence:**

The application should contain the following enclosures:

- copies of the tender documents confirming the above information,
- a copy of the letter of objection and the comments of the contracting entity,
- copy of the preliminary information letter of the contracting entity under Section 13 of the award regulation,
- evidence that the above advance payment has been effected.

**The application for review should be sent to:**

Bundeskartellamt  
Vergabekammern des Bundes  
Kaiser-Friedrich-Str. 16  
53113 Bonn  
Germany  
Fax-Nr.: 0049 - 2 28 94 99 - 1 63

Please submit the application for review within the time limit indicated under Section 13 of the award regulation (within 14 days upon the mailing of the preliminary information by the contracting entity), allowing for sufficient time for the Procurement Tribunal to review the application for evident inadmissibility or unfoundedness and to serve it before this time limit expires. The statutory prohibition to make the award is only activated upon the contracting entity's receipt of the application.