



Appendix B 5: Declaration of Absence of Grounds for Disqualification

Note:

If the bidder is a joint venture, this declaration must be submitted separately for each member of the joint venture.

Likewise, this declaration (in addition to the bidder's declaration) must be submitted separately by the company whose capacity the bidder intends to rely on to meet one or more qualification criteria (qualification borrowing).

[Company Name]

1 Statement regarding the absence of general grounds for exclusion

We state that:

- there are no grounds for exclusion under Section 123 of the German Act Against Restraints of Competition (GWB);
- there are no discretionary grounds for exclusion under Section 124 of the GWB;
- there are no grounds for exclusion under Section 19 of the Minimum Wage Act;
- there are no grounds for exclusion under Section 98c of the Residence Act;
- there are no grounds for exclusion under Section 21 of the Posted Workers Act;
- there are no grounds for exclusion under Section 22 of the Supply Chain Due Diligence Act;
- and there are no grounds for exclusion under Section 21 of the Act to Combat Illegal Employment.

We further declare that we comply with the requirements of Section 7(1) of the General Equal Treatment Act and Section 3(1) of the Pay Transparency Act.

If a foreign company makes this declaration:

We hereby declare that there are no grounds for exclusion under the laws of the respective country that are comparable to § 123 GWB and § 124 GWB, as well as § 19 of the Minimum Wage Act, § 98c of the Residence Act, § 21 of the Posted Workers Act, § 22 of the Supply Chain Due Diligence Act, or § 21 of the Act to Combat Illegal Employment, and that we meet the requirements comparable to § 7(1) of the General Equal Treatment Act or § 3(1) of the Pay Transparency Act under the laws of the respective country.

2. One or more of the above grounds for exclusion apply:

Yes

If "Yes" is checked, the bidder must also submit, as an attachment to this form, a description of the self-regulatory measures in accordance with Section 125 of the German Act Against Restraints of Competition (GWB).

Place, Date]