

January 2022

Important information from Finance and Controlling about the current purchasing regulations as of January 2022

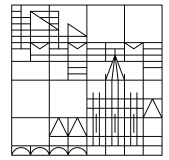
Dear Sir, dear Madam

As of [January 2022](#), the EU has set new thresholds for EU calls for tenders. In addition, new thresholds for national purchasing have been determined. We would like to take this opportunity to inform you about the current threshold values and the respective procedures you have to comply with. We also inform you about possible exceptions in individual cases, which we will be happy to check and discuss together with you.

Only the university administration (Finance and Controlling / Central Purchasing) may conclude contracts for goods and services paid for by the university budget or external funds. This is necessary, in particular, to ensure that the check of available resources required by budgetary law is completed, the respective use of funds is permitted and the award procedure is correct. Only in this way can the university prevent budget violations, [repayment obligations](#) (especially to external funders), liability cases against individual university members as well as potential cases of corruption. Overall, Central Purchasing offers you a comprehensive range of services: from soliciting bids through to carrying out the entire award procedure including the extensive documentation required by law, to handling complaints.

Order form at the University of Konstanz: the [internal request form](#) ("Request")

To enable us to process your purchase request as fast and smoothly as possible, please use the ["Request" form](#), which is available as a pdf on the [Central Purchasing website](#). Please fill in [all account details](#) (including the corresponding chapter!) to avoid time-consuming queries / returns, and have the respective authorized person (for the relevant funds) [sign by hand](#). In addition, please enter a specific and detailed description of the item (or service) to be purchased. In the [justification](#), briefly state why this item (or service) is required for your work. The scope of the justification is not so much based on



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the value of the goods, but must enable a third party – as a rule auditors from the audit court (Rechnungshof) or the funding party – to understand that a purchase is needed for work purposes and is economical. In the case of payment from external funds, the justification also has to include details of why the purchase is required for the project. Special justification is required if no call for tenders is to be used for amounts of 50,000 euros or more.

A few examples of justifications:

- Consumables and supplies that are obviously required for research and teaching: e.g. "laboratory supplies", "office supplies", ...
- Device that has already been justified (and reviewed) for a project: e.g., "for an experimental set-up as part of project 4711/12 (see project application in the appendix)."
- Or in general: "for event on (date)"
- Reason why there will be no call for tenders, e.g.: "it has to be this company because"

Specifications, further justification, and any bids you may have already solicited should be included as attachments to expedite the process. If special infrastructure measures are required for the installation and use of a device (cooling, power connection, room height), then please also include this information. Please also enter any special information on the request form relating to the size or weight of the item, for example if special vehicles are required for transport (possibly also within the university).

As a rule, the [place of delivery](#) is the "[Warenannahme](#)" ([receiving department](#)). If this is not practical due to special circumstances (special size of item or special order location {e.g. Limnological Institute, sports facilities}), please indicate this on the request form.

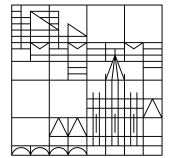
Orders from the office supply shop are delivered to the central post room only.

Please note: If you send us a request form, this is the order for us to purchase the described item. If you would like to have a consultation before placing the order (e.g. about received bids), please enter this on the request form.

Special justification is required if there is a deviation from the legally prescribed procedure (usually call for tenders), depending on the relevant value threshold. You can find more details on this below.

As of January 2022, the following [threshold limits](#) under public procurement law must be observed:

(All threshold limits are exclusive of tax, but apply to the entire purchasing project)



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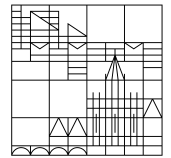
- **Up to 5,000** euros: We can purchase without a comparative bid, but the purchase must be *economical*. Please send a request form with the product details to Central Purchasing. You can order **office supplies** directly via the [web shop](#). They will be delivered within 24h (if ordered by 17:00). In urgent (other) cases, you can place a **small order** (up to 800 euros) yourself. Please use the special form available from Central Purchasing (V 735). You can find your contact person below. As a rule, however, it is worthwhile to use the tried-and-tested procedure of Central Purchasing in these cases as well, due to the favourable conditions and fast purchasing channels we have.

- **Up to 50,000** euros: At least **three comparative bids** are required; you can obtain these yourself and include them with the request. However, we would also be happy to do this for you. Please note that **bids** must be **signed** if submitted by mail or fax. Email offers no longer satisfy the regulations. Particularly in the case of (publicly) externally funded purchases, the funding parties strictly demand that corresponding price inquiries are documented and that the bids meet the formal requirements. In case of violations, they may demand **repayments**.

- **Up to 100.000** euros: Central Purchasing has to launch a **restricted call for tenders**. The bids must be submitted as e-bids via our portal in "Deutsches Vergabeportal (DTVP)".
 Duration: (varies depending on the complexity of the issue and month (peak periods e.g. in autumn))
 - Compiling the documents for the call for tenders: around 14 days
 - A reasonable period for the submission of bids – e.g. 14 days
 - Time for assessing the bids: around 7 days

- **Up to 214.000** euros: Central Purchasing has to launch a **national call for tenders**. The bids must be submitted as e-bids via our portal in "Deutsches Vergabeportal (DTVP)".
 Duration: (varies depending on the complexity of the issue and month (peak periods e.g. in autumn))
 - Compiling the documents for the call for tenders: around 14 days
 - A reasonable period for collecting the tender documents as well as for submitting the bid - e.g. 14 days
 - Time for assessing the bids: around 7 days

- **From 215.000** euros: Central Purchasing has to launch an **EU-wide call for tenders**. The bids must be submitted as e-bids via our portal in "Deutsches Vergabeportal (DTVP)".
 Duration: (varies depending on the complexity of the issue and month (peak periods e.g. in autumn))
 - Compiling the documents for the call for tenders: around 21 days

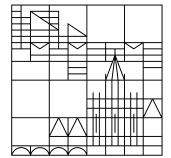


- A minimum of 30 days as bidding period (§15 VgV)
- Time for assessing the bids: around 7 days
- 10 days information and waiting period for unsuccessful bidders (§134 GWB)
- Plus any waiting periods in the event of judicial review

Please inform Central Purchasing – especially with regard to calls for tenders etc. – about your purchasing wishes as early as possible, so we can make the purchase as quickly as possible despite the time periods required for the necessary award procedures. We can also check for you whether **exceptional circumstances** apply and we can do without a call for tenders despite exceeding a certain sum.

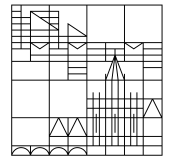
While generally no exceptions are possible for purchases above 215,000 euros due to strict EU law and an EU-wide call for tenders is required, e.g. the following **exceptions** for purchases below 214,000 euros might be made in accordance with § 8 para. 4 UVgO:

§ 8 para. 4 UVgO number:	Comment for University of Konstanz
6. It concerns the supply of goods or the provision of services for the fulfilment of specialized scientific and technical tasks in the field of research, development and investigation that do not serve to maintain general service operations and infrastructure of the orderer	This exception might certainly apply at the University of Konstanz, but it cannot be used for infrastructure purchases. <u>Important:</u> Comparative bids are still required.
9. The purchase is particularly urgent due to circumstances which the orderer could not anticipate, and the orderer is not responsible for the particular urgency.	Urgency may not be derived from the operations of the University of Konstanz in general. Asbestos contamination, for example, is a matter of urgency, whereas the end of the fiscal year in December is not.
10. The service can only be provided or performed by a specific company.	For purchases where factually and legally only one company can be considered for the service to be provided, as is the case with <ul style="list-style-type: none"> • a supply monopoly or • in the case of industrial property rights of a specific company Generally, <u>no comparative offers</u> are necessary/possible in such a case.



<p>12. Services of the previous contractor are to be purchased, a) which are used for the partial renewal or extension of services already provided, b) where a change of provider would result in purchasing a service with different technical characteristics, c) for which this change would cause technical incompatibility or disproportionate technical difficulties in use and maintenance,</p>	<p>a) e.g. accessories or spare parts</p> <p>b) e.g. if centrifuge A achieves 8 revolutions and centrifuge B only 5, the latter does not serve the necessary purpose.</p> <p>c) e.g. staff members are trained to handle centrifuges from XY</p>
<p>13. Spare parts and accessories for machines and equipment are to be purchased from the supplier of the original service because no usable version of these pieces can be purchased from other companies or it is not economical to do so.</p>	<p>This exception is used from time to time at the University of Konstanz.</p>
<p>14. An advantageous opportunity to a purchase comes up that is more economical than via a public or restricted call for tenders.</p>	<p>Such an advantageous opportunity may be, for example, a company liquidation or used equipment.</p>
<p>16. The public contract is to be awarded exclusively a) to workshops for people with disabilities or to enterprises whose main purpose is the social and professional integration of persons with disabilities or of disadvantaged persons according to § 1 para. 3 UVgO, or b) to prisons</p>	<p>Central Purchasing has an address list of these facilities.</p>
<p>17. Regulations of a federal or state ministry permit this up to a certain maximum value (value limit).</p>	<p>Is permitted in Baden-Württemberg up to 50,000 euros, but comparative bids must be obtained. See text block about threshold limits above.</p>

If you believe that any of the above exceptions may apply to you, please provide reasons on the request form or its attachment. You may mention the relevant UVgO paragraph,



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but this is not sufficient and is not required. What is essential is that your explanations have to enable a third party (auditor, etc, see above) to understand why the exception applies in your case.

Some example justifications for exceptions:

- Product X can only be purchased from manufacturer Y, as only this manufacturer's products are compatible with the existing equipment
- Only product X meets the requirements necessary to implement research project Y. The reasons are:
- Only manufacturer X offers product Y in the required specification

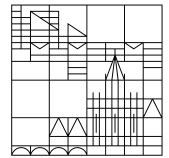
Please note that your statements must be well-founded and verifiable, i.e. if, to your knowledge, there is room for interpretation, a more detailed justification is required. In obvious and clearly verifiable cases, on the other hand, one sentence may suffice as justification – even if the product value is high.

The Central Purchasing team (see below) will be happy to assist you with any questions you may have.

Your contact persons in Central Purchasing:

- Unit manager: Alexander Sauter, extension: -4895, room V 741
 - Deputy: Simone Nickel, extension -2710, room V734
- URL: <http://www.uni.kn/einkauf>
- Central email: beschaffung@uni-konstanz.de

<p><u>Team B</u> Marco Stühlke Andrea Schiebold In case of absence please contact Team "G"</p>	<p>Room V733</p>	<p>extension -2401 -3318</p>	<p>Office and laboratory equipment including furnishing planning</p> <p>Office supplies, (e.g. paper, paper shredders, calculators, whiteboards, meeting supplies) <i>if not available in the office supply web shop!</i></p> <p>Chemicals Disinfectant Printing and binding Franking machine Sanitary products (toilet paper, etc.) Intrastatistics Blinds/curtains Marketing articles Membership cards Publications (incl. photos) Cleaning supplies Cleanroom supplies Pest control Protective clothing (e.g. goggles, safety shoes, earplugs) Diving products</p>
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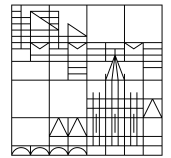
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			<p>Animal cages Packaging material Laboratory animals, feed and material for the keeping of animals Laundry and cleaning Workshop furniture (lockers, etc.)</p>
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<p><u>Team G</u> Simone Nickel Sabine Müller</p> <p>In case of absence, please contact Team B</p>	<p>Room V734</p>	<p>extension -2710 -3266</p>	<p>Buildings/systems engineering (incl. installation material)</p> <p>Aquariums (related to the buildings) Signage Pressure reducer for gases Electrical material (incl. standard lights) Disposal/clearing out rooms, incl. hazardous substances Expeditions (e.g. tents etc) Fire extinguisher Liquid nitrogen Garden products Gasses Gas cylinders (if not in storage facility "Gaslager") Dishwasher (single) Heating oil Refrigerators and freezers Machines Cars Cleaning equipment Cleaning contracts Seeds/plants Keys Safety cabinets Sports goods Transport trolleys Valves for gases Watercraft Tools, (tools for machines)</p>
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<p><u>Team F</u> Alexander Sauter Vera Kerstan</p> <p>In case of absence, please contact Team H</p>	<p>Room V741 V742</p>	<p>Extension -4895 -3045</p>	<p>IT equipment hardware and software for the following areas:</p> <ul style="list-style-type: none"> • Faculty of Sciences • University administration • KIM <ul style="list-style-type: none"> ○ Software not provided by KIM
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<p><u>Team H</u> Raffaello Ruscelli Katja Rieger</p>	<p>Room V740</p>	<p>Extension -2740 -3185</p>	<p>IT equipment hardware and software for the following areas:</p> <ul style="list-style-type: none"> • Faculty of Humanities • Faculty of Politics, Law and Economics • Facility Management • Scientific Engineering Services <ul style="list-style-type: none"> ○ Software not provided by KIM
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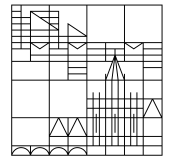
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In case of absence, please contact Team F			<ul style="list-style-type: none"> • Audio, video, photo, multimedia, mobile communications, phone
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<p><u>Team D</u> Gabriele Sims Patricia Deicher In case of absence, please contact Team A</p>	Room V731	Extension: -2072 -4031	<p>Laboratory equipment * for the following areas:</p> <ul style="list-style-type: none"> • Department of Physics • Department of Chemistry
<p><u>Team A</u> Harry Bruttel Karin Baumgart In case of absence, please contact Team D</p>	Room V730	Extension: -2391 -2520	<p>Laboratory equipment * for the following areas:</p> <ul style="list-style-type: none"> • Department of Biology • Department of Psychology • Sport Science

* **Laboratory equipment:**

Analyzers	Electrical measuring and control devices
Aquariums (devices + equipment)	Electronic components
Blood, yeast strains	HPLC
Tissue and cell cultures	Lasers
Cooling and heating equipment	Microscopes (laboratory)
Medical technology	Photometer
Polymerase chain reaction (PCR)	X-ray, devices and accessories
Cleanroom technology: Globox, etc	Spectrometer
Sequencing (incl. PCR, barcoding)	Scintillation counter
Vacuum technology (devices)	Ultrasound devices
Laboratory consumables	UV devices and lamps
Water treatment/ultrapure water	
Centrifuges	Scales (laboratory)



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<p><u>Team Q</u> <u>Petra Hamm</u></p>	<p>Room V736</p>	<p>Extension: -3256</p>	<p>Cross-divisional responsibilities</p> <ul style="list-style-type: none"> • Issuance of K forms (K-Schein) for small orders • Mail and invoice service
<p><u>Team V</u> <u>Ingo Biesenthal</u></p>	<p>Room V743</p>	<p>Extension: -3258</p>	<p>Shipping</p> <ul style="list-style-type: none"> • Non-EU countries, hazardous goods, heavy/bulky goods weighing more than 31.5 kg, including customs <p><u>Information about shipping including corresponding request form</u></p>

Final note:

Certain items can also be purchased directly at the University of Konstanz as we already have them in stock.

More info on the internet <http://www.uni.kn/einkauf/direktkauf-lager/>

Yours sincerely,
Alexander Sauter