

Leaflet

The content of this leaflet is part of the application for a registration in the HPQR.

Hessian Pre-Qualification- Register – HPQR -

for construction work according to VOB / A, supplies and services according to VOL / A beneath and above the thresholds, and freelance services VOF

1. General

The Hessian Pre-Qualification Register HPQR for supplies, services and works is run by the Contract Advisory Centre Hesse (ABST Hesse). For registration, a formal application to the ABSt is necessary. The application is available at::

Auftragsberatungsstelle Hessen e.V.
Bierstädter Straße 9
65199 Wiesbaden
Tel.: 0611 974588-0
Fax: 0611 974588-20
hpqr@absthessen.de
<http://www.hpqr.de>

For each new registration a service fee of € 215, - incl VAT and for each of the possible annual extensions, an amount of € 155, - incl VAT is charged, which are to be paid in advance.

The enrolment in the HPQR means that the following single proofs required by entities on company-related efficiency, reliability and technical qualification according to

- Contracting rules for supplies and services, Part A (VOL / A),
- Contracting rules for freelance services (VOF)
- Contracting rules for works, part (VOB / A)

are considered as adduced for the period of the registration within the declaration scope. The approval by the Hessian entities is guaranteed by the common circular "Public Procurement" issued on 01/11/2007.

This does not exclude that in individual cases the entities may require other complementary and contract-related individual proofs. Entering the HPQR is not a necessary condition for tendering but minimizes risks, reduces bureaucracy and costs of the tendering procedures.

The register consists of companies which provide the supplies and services within the meaning of the VOL / VOF or works in the sense of the VOB and which fulfill the prerequisites and submit the supporting documents for a registration just in due time. All ranges of performance are certificated especially if a company offers attainments according to the VOB and VOL sector. New entrepreneurs can also be certified.

2. Content of the HPQR-certificate

The HPQR certificate contains all supporting documents that were complete and valid at the date of issuing. After the receipt of the application, the supporting documents have to be provided in each of the form they are required:

A declaration that the company is not insolvent or in liquidation (self-declaration)

A declaration that no matter of fact of a serious misconduct or any conviction or misdemeanour according to § 21 SGB III SchwarzArbG or to § 5 para 1 or 2 employee assignment law exists (self-declaration)

Declaration of payment of taxes and charges, the payment of contributions to the statutory social insurance and social security benefits office (self-declaration)

- Attestation of the contribution to the professional association (in photocopy)
- Business registration (in photocopy)
- Trade register excerpt or professional register excerpt of the company's seat (in photocopy)
- or self-declaration (if no registration is required)
- Total turnover of the company within the last three financial years
- (Self-declaration)
- List of at least 3 references to services that were provided (self-declaration)
- Number of employees at the time of declaration (self-declaration)
- Professional or public liability insurance (copy of insurance certificate and (self-declaration)

Entities approve the permitted PQ documents in their scope of declaration. The mutual approval of each particular certificate is achieved at high priority by all federal states. The list of federal states with PQ-register or UL-list can be viewed on the website www.hpqr.de.

3. Registration

Only after receiving the application and the deposit slip, a list of required proofs and documents will be sent to the applicant.

After completing a successful review of the supporting documents requested by the ABSt Hesse, the company will be registered in the HPQR. The company receives a written notice of the enrolment in the HPQR and the HPQR certificate in written and digital form with details of the period of validity. If the submitted supporting documents seem to be questionable, the registration requirements will be examined by the ABSt in particular.

During the validity period of the certificate the company has to inform the ABSt Hesse about all changes concerning the reviewed requirements and proofs, without delay, otherwise the company will be removed from the HPQR for 2 years according to Item 6.

It is pointed out that no registration can be made if the expertise, reliability and operating efficiency of the company are doubted (according to VOL, VOB and VOF)..

4. Registration renewal

The HPQR certificate loses its validity after the stated period. The company has to apply for the extension in writing using the form of the ABSt in due time. The ABSt Hesse reserves the right to send you an application for extension by no later than 4 weeks before the expiry of the validity period with regard to the resubmitted documents. The supporting documents must be re submitted before the deadline. If the qualifications for a renewal are fulfilled, an extension will be registered and a new HPQR-certificate will be issued..

5. S-annotation (blocking)

If the necessary documents for the extension are not submitted on time, the company will be asked again to submit them in writing. If the documents are not

available after the written request, the entry will be marked with a stop note (S) and the company will be told this writing. The annotation means that the requirements to continue the registration in the HPQR are not proofed, and that the procedure for discarding the company from the HPQR is initiated. The S-annotation will be deleted if necessary documents are presented before the withdrawal.

6. Removal from the HPQR

The removal from the HPQR may be temporary or permanent, if the registration conditions are not present or not present any more..

A re-entry requires the written application of the company and the fulfillment of the requirements for registration..

A removal from the HPQR lasts six months for the first time and in case of recurrence up to three years from the date of the written notification, if

- a) a responsible person acting in behalf of the company has obviously committed a serious misconduct that questions the reliability related to the application, especially if the person was convicted to a monetary penalty, an imprisonment or a fine because of a criminal act that was committed in commercial transactions, such as fraud, defalcation, forgery of documents, granting of an undue advantage, corruption and illegal employment.

The same applies if the company or a person responsibly acting for the company was convicted to a monetary penalty, an imprisonment or a fine because

of a violation of the law against restraints of competition (ARC), such as price fixing, against the Law on Temporary Employment, against the law to combat illegal employment, or other illegal conduct..

- b) the company is carrying out work for which it is not approved..
- c) the company is mentioned in the list "award Lock" that has been established since 29th July 1997 according to the Common Circular "exclusion of applicants and tenderers because of serious misconducts questioning their reliability.

The concerned company is given the opportunity to take a stand before a planned cancellation and will be informed about a cancellation in writing.

Unlimited cancellation from the HPQR

Eine unbefristete Streichung aus dem HPQR erfolgt

- a) on written request of the company
- b) upon expiry of validity period for non-submission of documents required for a renewal
- c) by notice of deregistration of trade
- d) in cases of § 8, No. 5, letter d) to f) VOB / A, in the case of the letter e), in particular if the intentionally inaccurate declaration was made relating to the registration of the company in the HPQR.
- e) prohibition of further trade activity under § 35 GewO
- f) in case of an application to adjudge an insolvency proceeding on the business assets
- g) if the company is in liquidation
- h) if an affidavit according to § 807 ZPO is made.

7. Defective conducting of supplies and services

In case of defective conducting of supplies and services denoted by the public client, either

- a.) the contractor could get a warning contractor and a threat of deregistration from the HPQR in case of recurrence or
- b.) the contractor could be removed from the HPQR (recurrence) temporarily or
- c.) the contractor could immediately be deregistered (unlimited), if a serious damage has occurred to the contracting authority.

The same applies to the submission of deliberately false declarations in connection with the conducting of the HPQR.

8. Scope of application

The HPQR is at the disposal of authorized users on the Internet. The granted access results from the certificate number.

By signing the declaration of consent the company agrees that the personal- and business-related data given by him is stored and can also be used to provide information to the public client.

Further queries will be answered by the assistants of the contract counselling centre at telephone number 0611 974508-0 in the period Monday to Friday 8.00 - 11.30 clock, or by sending an e-mail, address: hpqr@absthessen.de.

9. Validity period

These conditions apply until withdrawn for each registration period. In Event of an extension or new registration after deletion can each new conditions apply.

Auftragsberatungsstelle Hessen e.V. (Contract Advisory Centre Hesse)

Stated October 2008