

GDPR Policy Cosuno



Notice on the Collection and Processing of Personal Data when Using Cosuno Software in Tendering and Award Processes under Articles 13 and 14 GDPR

1. Introduction and purpose of using the Cosuno software in the tendering and award process

This privacy notice explains the processing of your personal data in connection with the use of the Cosuno software in the tendering, award, procurement and subcontractor process pursuant to Articles 13 and 14 GDPR.

For the processing operations described in this privacy information, GOLDBECK SOLAR GmbH is the controller within the meaning of Art. 4 No. 7 GDPR. The Cosuno platform, developed by Cosuno Ventures GmbH, Boxhagener Str. 77-78, 10245 Berlin, is used as the technical system for tendering, award and subcontractor processes. Where Cosuno Ventures GmbH processes personal data for GOLDBECK SOLAR GmbH, it generally acts as a processor pursuant to Art. 28 GDPR.

A data processing agreement is available at <https://www.cosuno.com/web/de/avv>. Where Cosuno Ventures GmbH processes personal data for its own purposes, including cyber security, fraud prevention, compliance checks and product improvement, it acts under its own responsibility under data protection law; in this respect, the separate privacy notice of Cosuno Ventures GmbH applies (<https://www.cosuno.com/web/de/datenschutz>).

Personal data is processed to perform and document tendering, procurement, and subcontractor processes, to communicate with participating companies and contact persons, to review and compare offers, to initiate and perform contractual relationships, and to organize, manage, and trace project-related processes.

2. Data collection and processing in Cosuno tendering and award processes and GDPR rights of supplier, subcontractor and bidder contacts

2.1. Legal bases for the processing of personal data

The processing of personal data is carried out in particular on the basis of:

- Art. 6 (1) (c) GDPR: The Cosuno software enables GOLDBECK SOLAR GmbH to meet documentation obligations imposed on it in connection with tendering, award and subcontractor processes.
- Art. 6 (1) (f) GDPR: Processing is carried out to protect GOLDBECK SOLAR GmbH's legitimate interests in efficient, transparent, traceable and legally compliant tendering, award and subcontractor processes and in orderly communication and documentation. Alternative handling, in particular by e-mail, Excel and folder structures, would significantly increase the administrative burden, increase the risk of errors and make traceability in the award process more difficult.

2.2. Scope and purposes of personal data collected and processed

Certain personal data is required to participate in tendering, award and subcontractor processes of GOLDBECK SOLAR GmbH conducted or managed via the Cosuno platform and, where applicable, for

the initiation, performance and processing of contractual relationships. To the extent that a complete Cosuno profile is required for this purpose, failure to provide requested information may result in the relevant supplier, subcontractor or bidder not being considered in the respective award or procurement process.

Processing takes place only to the extent necessary for the relevant tender or procurement process, project-related communication, the allocation of the contact persons involved, and compliance with statutory requirements. A decision based solely on automated processing within the meaning of Art. 22 GDPR generally does not take place unless separately indicated in an individual case.

Personal data are collected directly from the data subject or, where the data are not collected directly from them, from the company for which they work, as well as from tender and offer documents, project-related documents and ongoing contractual and communication processes. The processing may concern contact persons, employees and other representatives of bidders, subcontractors, suppliers, service providers, customers and project partners, as well as employees of GOLDBECK SOLAR GmbH, insofar as they are involved in the respective procurement, award or project processes.

Cosuno Ventures GmbH stores and processes the following categories of personal data for the purposes specified:

- First and last name and function for identification and assignment in the tendering and award process
- Language for automatically displaying the software in a language understood by the relevant user
- Contact details, especially email address for communication from within the software during the tendering and award process
- Company affiliation for quickly and clearly assigning a contact person to the company participating in the tendering and award process

Special categories of personal data within the meaning of Art. 9 GDPR are not collected or processed.

2.3. Recipients of personal data

Recipients or categories of recipients under Art. 13 (1) (e) GDPR include in particular:

- internal responsible departments of GOLDBECK SOLAR GmbH, authorized project managers, other authorized users of the platform, where this is necessary, authorities and public bodies, where this is required by law, as well as IT service providers and other processors
- relevant internal departments of GOLDBECK SOLAR GmbH
- authorized project managers and other authorized platform users may receive access only on a least-privilege basis
- IT service providers, other processors and sub-processors.
- authorities and public bodies where required by law.

To the extent that personal data is transferred to recipients in countries outside the European Union or the European Economic Area, the transfer shall take place only in compliance with statutory requirements. Where no adequacy decision exists, the transfer shall take place on the basis of appropriate safeguards, in particular the standard contractual clauses adopted by the European Commission.

2.4. Place of data processing

The data is stored on Cosuno Ventures GmbH servers in accordance with the data processing agreement. Any transfer of data to the USA takes place in accordance with GDPR requirements, including any applicable EU-US Data Privacy Framework mechanism.

2.5. Duration of data storage

Personal data processed for tenders will be stored only for as long as necessary to conduct the tender procedure, start and handle any contractual relationship, and maintain the supplier and bidder database. The rights of data subjects remain unaffected and may be exercised at any time in accordance with Section 2.6.

Tender, communication and contact data that are not subject to statutory retention obligations will be deleted or anonymized after the relevant processing purpose ends. Records and data that are subject to retention obligations under commercial, tax or accounting law, or that are needed for the establishment, exercise or defense of legal claims, will be deleted or anonymized only after the applicable retention or limitation periods expire. After these periods expire, deletion or anonymization will take place unless there is a renewed legal basis for further storage.

To the extent personal data is processed via systems of Cosuno Ventures GmbH, the deletion periods specified in its privacy notice also apply where relevant (<https://www.cosuno.com/web/de/datenschutz>).

2.6. Data subject rights

You have the right, in accordance with the statutory provisions, to obtain information about the personal data concerning you, to have inaccurate data corrected or incomplete data completed, to have data erased, to restrict processing, to data portability, and to object to processing. You also have the right to lodge a complaint with a supervisory authority about the processing of your personal data (Art. 77 GDPR).

- Right of access to personal data concerning you (Article 15 GDPR)
- Right to rectification of inaccurate personal data concerning you (Article 16 GDPR)
- Right to erasure of personal data (Article 17 GDPR)
- Right to restriction of the processing of personal data (Article 18 GDPR)
- Right to data portability (Article 20 GDPR)
- Right to object to the processing of personal data (Article 21 GDPR)

2.7. Contact information

If you have any questions about data protection or want to exercise your data subject rights, you can contact GOLDBECK SOLAR GmbH as the controller within the meaning of Art. 4 No. 7 GDPR at the following contact details:

GOLDBECK SOLAR GmbH
Goldbeckstraße 7
69493 Hirschberg an der Bergstraße
E-Mail: datenschutz@goldbecksolar.com

If you have any questions about how Cosuno Ventures GmbH processes personal data as processor, you can reach them at the following contact details:

Cosuno Ventures GmbH
Boxhagener Str. 77-78
10245 Berlin
E-Mail: info@cosuno.de

You can also reach Cosuno Ventures GmbH's external data protection officer using the following contact details:

Kertos GmbH
Brienner Str. 41
80333 München
Phone: +49 171 771 0207
Website: www.kertos.io
E-Mail: datenschutz@cosuno.de

You have the right at any time under Art. 77 GDPR to lodge a complaint with a data protection supervisory authority if you believe that your personal data is being processed unlawfully