

**Question for written answer E-002119/2023
to the Commission**
Rule 138
Ralf Seekatz (PPE)

Subject: Call for tenders to procure school textbooks

Since 1 August 2022, the general administrative regulation for public procurement in Rhineland Palatinate requires that a call for tenders be carried out for all textbook purchases by the state above a total value of EUR 10 000. Since there are fixed prices for books in Germany, competitors cannot make varying offers. Up until now, an EU-wide call for tenders was necessary only if the value of a contract exceeded the threshold set by the EU. However, the state government of Rhineland-Palatinate claims that, according to EU rules and regulations, contracts can no longer be awarded by private agreement to suitable tenderers and a public call for tenders must take place, even if the value of a contract does not exceed the EUR 10 000 threshold.

1. Does EU law stipulate that, if the contract is worth over EUR 10 000, a call for tenders must take place to procure textbooks for schools?
2. Under EU law, is it still possible for contracts to be awarded by private agreement if the value does not exceed the threshold set by EU law?

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