

# **Seawater heat pump, Aalborg Forsyning**

Lot 1 - Heat pump and technical installations

## **Appendix IV Processing of personal data in tenders**

20 January 2023  
Version 1

**INSTRUCTIONS TO TENDERER**

As part of the tender process Aalborg Forsyning will, as data controller, process personal data about the tenderer's employees, representatives, and other persons that the tenderer states in its tender.

The tenderer declares with its tender that it has communicated the information in this information letter to all employees, representatives, and other persons whose personal data is included in the tender.

# Information letter regarding Aalborg Forsyning's processing of personal data in tenders

## 1 Introduction

- 1.1 As part of Aalborg Forsyning's tender for Seawater heat pump, Lot 1 – Heat pump and technical installations ("The Project"), Aalborg Forsyning in its function as contracting authority will receive certain personal data about you from the Tenderer as part of its tender submission.
- 1.2 The purpose of this information letter is to inform you how Aalborg Forsyning, ("we", "our", "us") processes your personal data received as part of the Tenderer's tender.
- 1.3 Aalborg Forsyning is the data controller in relation to your personal data received as part of the Tenderer's tender. Inquiries to Aalborg Forsyning must be made via the contact information specified under section 8.2.

## 2 The data we collect, the purpose and the legal basis for processing

- 2.1 We process data included in your CV such as your name, former and present employment positions, competences as well as other matters included in your CV.

The purpose for processing these personal data is to make an assessment of the Tenderer's tender and ultimately decide which tenderer to award the contract to.

The legal basis for processing these personal data is to pursue our legal interest in selecting the best contracting party for the Project, see article 6(1) (f) of the General Data Protection Regulation (Regulation no. (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016).

- 2.2 If you are a member of the Tenderer's board, management or supervisory committee or authorised to represent, monitor or make decisions in the Tenderer's board, management or supervisory committee, we may also process data about certain criminal offenses as defined in section 135(1) of the Danish Public Procurement Act.

The purpose for processing these personal data is to assess whether the Tenderer is excluded from participating in the tender procedure, see section 135(2) of the Danish Public Procurement Act (Act no. 1564 of 15 December 2015), cf. section 10 of the Danish Implementing Order (Order no. 1624 of 15 December 2015)

The legal basis for processing these personal data is our legal obligation to comply with section 148(1) (1) and section 151 in the Danish Public Procurement Act, cf. section 11 in the Danish Implementing Order and section 8 in the Danish Data Protection Act (Act no. 502 of 23 May 2018).

## 3 How is your personal data collected?

- 3.1 We receive your personal data from the Tenderer as part of their tender submission.

## **4 Recipients of your personal data**

- 4.1 Your personal data may be entrusted our data processors, including hosting providers. We have entered into a data processor agreement with all our data processors that meet the requirements of article 28 of the General Data Protection Regulation and which instructs these data processors to process personal data only on our behalf and in accordance with our instructions, as well as to implement appropriate technical and organisational measures in such a way that the data processing meets the requirements of the General Data Protection Regulation and ensures the protection of your rights.
- 4.2 Your personal data may also be entrusted to other external partners, lawyers, suppliers, or public authorities to the extent necessary for the evaluation, or if we are obligated to do so.

## **5 Your rights**

Under certain circumstances, you have one or more of the following rights:

### **5.1 The right to request access**

You have the right to request access to your personal data, see article 15 of the General Data Protection Regulation. This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

### **5.2 The right to rectification**

You have the right to request correction of your personal data that we hold about you, see article 16 of the General Data Protection Regulation. If you become aware that the personal data, we process, is inaccurate, we encourage you to contact us in writing which will enable you to have any incomplete or inaccurate information we hold about you corrected.

### **5.3 The right to request erasure**

You may have the right to request erasure of your personal data, see article 17 of the General Data Protection Regulation. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. To the extent the continued processing of your personal data is necessary, for example in order for us to comply with our legal obligations or for legal requirements to be established, enforced or defended, we are not required to delete your personal data.

### **5.4 The right to restriction of processing**

You may have the right to request the restriction of processing of your personal data to consist only of storage, see article 18 of the General Data Protection Regulation. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing

## 5.5 The right to object

You have the right to object to our processing of your personal data, see article 21 of the General Data Protection Regulation.

## 5.6 The right to file a complaint

You have the right to file a complaint with the Danish Data Protection Agency regarding our processing of your personal data. You can contact the Danish Data Protection Agency from your “digitale postkasse” on [www.borger.dk](http://www.borger.dk), by e-mail to [dt@datatilsynet.dk](mailto:dt@datatilsynet.dk) or by letter to Datatilsynet, Carl Jacobsens Vej 35, DK-2500 Valby.

For further information on how to file a complaint please go to the Danish Data Protection Agency’s homepage: <https://www.datatilsynet.dk/english/file-a-complaint>

# 6 Data Retention

- 6.1 Your personal data will be deleted when we no longer have a legitimate purpose to process your data.
- 6.2 Personal data from tenderers who are not awarded a contract will normally be deleted when the deadline for filing a complaint about the tender expires. The deadlines for filing a complaint are stipulated in section 7 and section 8 of the Danish Act on the Complaints Board for Public Procurement (Act no. 593 of 2 June 2016).
- 6.3 Personal data from a tenderer who is awarded a contract will normally be deleted 5 years after the contract expires including any extension periods.
- 6.4 Your information may in some cases be stored for longer than stated, including if we are required by law or it’s necessary for legal claims to be determined, asserted or defended.

# 7 Security

- 7.1 We have implemented appropriate technical and organisational security measures against the accidental or unlawful destruction, loss, alteration or deterioration of personal data and against the disclosure or misuse of unauthorised persons.
- 7.2 Only employees and business partners who have a real need to access your personal data in order to carry out their work have access to it.

# 8 Contact information

- 8.1 We are data controller for the personal data collected about you.
- 8.2 If you have questions or remarks about this information letter, or wish to make use of one or more of your rights in section 5, you can contact:

Nordjyllandsværket A/S (On behalf of Aalborg Forsyning)  
Nefovej 50  
9310 Vodskov  
Denmark  
Company registration number: 37189294  
Contact person: Sidsel Klæstrup Borup  
E-mail: [sidsel.borup@aalborgforsyning.dk](mailto:sidsel.borup@aalborgforsyning.dk)  
Phone: +45 25199476

## **9 Changes to this information letter**

- 9.1 If we make changes to this information letter, you will be informed of this via the Tenderer.