



### Modification of a contract/concession during its term

Directive 2014/23/EU ●

### I.1) Name and addresses

|                                                                                |  |               |  |                               |  |
|--------------------------------------------------------------------------------|--|---------------|--|-------------------------------|--|
| Official name: Autobahnen- und Schnellstraßen-Finanzierungs-Aktiengesellschaft |  |               |  | National registration number: |  |
| Postal address: z.H. ASFINAG Bau Management GmbH, Modecenterstraße 16          |  |               |  |                               |  |
| Town: Wien                                                                     |  | NUTS code: AT |  | Postal code: 1030             |  |
|                                                                                |  |               |  | Country: Austria              |  |
| Contact person:                                                                |  |               |  | Telephone: +43 50108-14226    |  |
| E-mail: manfred.pech@asfinag.at                                                |  |               |  | Fax: +43 50108-14222          |  |
| Internet address(es)                                                           |  |               |  |                               |  |
| Main address: (URL) <a href="http://www.asfinag.at">www.asfinag.at</a>         |  |               |  |                               |  |
| Address of the buyer profile: (URL)                                            |  |               |  |                               |  |

## II.1) Scope of the procurement

|                                                                                                                                      |                            |
|--------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| <b>II.1.1) Title:</b> A02 Süd Autobahn, IN Buch - Waltersdorf, AB km 122,6 bis 131,0, RFB Wien, Bauleistung                          | <b>Reference number:</b> 0 |
| <b>II.1.2) Main CPV-Code:</b> 45000000 Supplementary CPV-Code: [ ][ ][ ][ ][ ][ ][ ][ ]                                              |                            |
| <b>II.1.3) Type of contract</b> <input checked="" type="radio"/> Works <input type="radio"/> Supplies <input type="radio"/> Services |                            |

|                                                                                                                                                                                                                                                                             |                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>II.2.1) Title:</b> A02 Süd Autobahn, IN Buch - Waltersdorf, AB km 122,6 bis 131,0, RFB Wien, Bauleistung                                                                                                                                                                 | <b>Lot No:</b> |
| <b>II.2.2) Additional CPV code(s)</b><br>Additional CPV code: [ ] [ ] [ ] [ ] [ ] [ ] [ ] Supplementary CPV code: [ ] [ ] [ ] [ ] [ ] [ ] [ ]                                                                                                                               |                |
| <b>II.2.3) Place of performance</b><br>NUTS code: AT22<br>Main site or place of performance: Steiermark und Waltersdorf                                                                                                                                                     |                |
| <b>II.2.4) Description of the procurement at the time of conclusion of the contract:</b> (nature and quantity of works, supplies or services)<br>A02 INSB Buch - Waltersdorf RFL - A02 Süd Autobahn, IN Buch Waltersdorf, Sanierung Straße, Brücke, Lärmschutz, Bauleistung |                |
| <b>II.2.7) Duration of the contract, framework agreement, dynamic purchasing system or concession</b><br>Duration in months[ ] or Duration in days:<br>or Start: 23/04/2018 / End: 06/12/2018                                                                               |                |

Directive 2014/24/EU – In the case of framework agreements, provide justification for any duration exceeding 4 years:

#### II.2.13) Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds ☐ yes ☒ no

Identification of the project:

### SECTION IV: PROCEDURE

#### IV.2) Administrative information

##### IV.2.1) Contract award notice concerning this contract

Notice number in the OJ S: 2019/S 076–180054

### SECTION V: AWARD OF CONTRACT/CONCESSION

**Contract No:** [301900917] **Lot No:** [] **Title:** A02 Süd Autobahn, IN Buch - Waltersdorf, Sanierung Straße, Brücke, Lärmschutz, Bauleistung

#### V.2) Award of contract/concession

**V.2.1) Date of conclusion of the contract/concession award decision:** 02/04/2019 (dd/mm/yyyy)

##### V.2.2) Information about tenders

The contract/concession has been awarded to a group of economic operators ☐ yes ☒ no

##### V.2.3) Name and address of the contractor/concessionaire

|                                                                                        |                 |                               |                  |
|----------------------------------------------------------------------------------------|-----------------|-------------------------------|------------------|
| Official name: PORR Bau GmbH                                                           |                 | National registration number: |                  |
| Postal address:                                                                        |                 |                               |                  |
| Town: Wien                                                                             | NUTS code: AT13 | Postal code:                  | Country: Austria |
| E-mail:                                                                                |                 | Telephone:                    |                  |
| Internet address:(URL)                                                                 |                 | Fax:                          |                  |
| The contractor is an SME <input checked="" type="radio"/> yes <input type="radio"/> no |                 |                               |                  |

##### V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract; excluding VAT)

Total value of the procurement: [8.778.981,20]

Currency: EUR

### SECTION VI: COMPLEMENTARY INFORMATION

#### VI.3) Additional information

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#### VI.4) Procedures for review

##### VI.4.1) Review body

Official name: Bundesverwaltungsgericht

Postal address: Erdbergstraße 192-196

|                                  |                   |                         |
|----------------------------------|-------------------|-------------------------|
| Town: Wien                       | Postal code: 1030 | Country: Austria        |
| E-mail: einlaufstelle@bvwg.gv.at |                   | Telephone: +43 160149-0 |
| Internet-Address:(URL)           |                   | Fax:                    |

##### VI.4.2) Body responsible for mediation procedures



The contractor is an SME ☒ yes ☐ no

## VII.2) Information about modifications

### VII.2.1) Description of the modifications

Nature and extent of the modifications (with indication of possible earlier changes to the contract): Errichtung der temporären Betonleitwände über die Nachtstunden anstatt der Tagstunden.

### VII.2.2) Reasons for modification

- ☐ Need for additional works, services or supplies by the original contractor/concessionaire (Art. 43(1)(b) of Directive 2014/23/EU, Art. 72(1)(b) of Directive 2014/24/EU, Art. 89(1)(b) of Directive 2014/25/EU)  
Description of the economic or technical reasons and the inconvenience or duplication of cost preventing a change of contractor:
- ☐ Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee (Art. 43(1)(c) of Directive 2014/23/EU, Art. 72(1)(c) of Directive 2014/24/EU, Art. 89(1)(c) of Directive 2014/25/EU)  
Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

### VII.2.3) Increase in price

Updated total contract value before the modifications (taking into account possible earlier contract modifications and price adaptations and, in the case of Directive 2014/23/EU, average inflation in the Member State concerned)

Value excluding VAT: [ 9.254.120,49 ] Currency: [ EUR ]

Total contract value after the modifications

Value excluding VAT: [ 9.354.335,49 ] Currency: [ EUR ]

It is the contracting authority's/contracting entity's responsibility to ensure compliance with European Union law and any applicable laws.