

Supplement to the Official Journal of the European Union Info and online forms: http://simap.ted.europa.eu

## MODIFICATION NOTICE

Modification of a contract/concession during its term

- Directive 2014/24/EU ()
- Directive 2014/25/EU 💿
- Directive 2009/81/EC
- Regulation (EC) No 1370/2007
  - Directive 2014/23/EU

# SECTION I: CONTRACTING AUTHORITY/ENTITY

# I.1) Name and addresses

| Official name: Autobahnen- und Schnellstraßen-Finanzierungs-Aktiengesellschaft                    |               |                   | National registration number: |  |
|---|---------------|-------------------|-------------------------------|--|
| Postal address: ASFINAG Baumanagement GmbH, Modecenterstr.16                                      |               |                   |                               |  |
| Town: Wien  | NUTS code: AT | Postal code: 1030 | Country: Austria              |  |
| Contact person:   |               |                   | Telephone: +43 50108-14102    |  |
| E-mail: michaela.riener@asfinag.at  |               |                   | Fax: +43 50108-14020          |  |
| Internet address(es)<br>Main address: (URL) www.asfinag.at<br>Address of the buyer profile: (URL) |               |                   |                               |  |

## SECTION II: OBJECT

| II.1) Scope of the procurement<br>II.1.1) Title: A7 Mühlkreis Autobahn, Bypassbrücken, Hauptbaumaßnahme | <b>Reference number:</b> 301704171/140.ÄA |  |  |  |
|---|---|--|--|--|
| II.1.2) Main CPV-Code: 45233110 Supplementary CPV-Code: [ ][ ][ ][ ] [ ][ ][ ]                          |   |  |  |  |
| II.1.3) Type of contract  Works  Supplies  Services   |   |  |  |  |

## II.2) Description

II.2.1) Title: A7 Mühlkreis Autobahn, Bypassbrücken, Hauptbaumaßnahme Lot No:

# II.2.2) Additional CPV code(s)

Additional CPV code: [ ][ ].[ ][ ].[ ][ ].[ ][ ].[ ][ ] Supplementary CPV code: [ ][ ][ ][ ][ ][ ][ ][ ][

## **II.2.3**) Place of performance

NUTS code: AT

Main site or place of performance: Linz und Ansfelden

**II.2.4) Description of the procurement at the time of conclusion of the contract:** (nature and quantity of works, supplies or services)

A7 Mühlkreis Autobahn, Bypassbrücken, Hauptbaumaßnahme

**II.2.7**) **Duration of the contract, framework agreement, dynamic purchasing system or concession** Duration in months[] or Duration in days:

or Start: 08/01/2018 / End: 31/12/2020

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 o 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: 2017/S 133–271419

## SECTION V: AWARD OF CONTRACT/CONCESSION

#### Contract No: [301704171/140.ÄA] Lot No: [] Title:

V.2) Award of contract/concession V.2.1) Date of conclusion of the contract/concession award decision: 04/12/2017 (dd/mm/yyyy) V.2.2) Information about tenders The contract/concession has been awarded to a group of economic operators 
ves on no V.2.3) Name and address of the contractor/concessionaire National registration number: Official name: Swietelsky Baugesellschaft m.b.h Postal address: Town: Wien NUTS code: AT Postal code: 1040 Country: Austria E-mail: Telephone: Internet address:(URL) Fax: The contractor is an SME or yes on no National registration number: Official name: Bauunternehmung Granit GmbH Postal address: NUTS code: AT Town: Graz Postal code: 8025 Country: AT E-mail: Telephone: Internet address:(URL) Fax: The contractor is an SME or yes on (SME – as defined in Commission Recommendation 2003/361/EC)

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: [144.933.868,53] Currency: EUR

## SECTION VI: COMPLEMENTARY INFORMATION

## VI.3) Additional information

## 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         Official name:         Postal address:         Town:         Postal code:       Country: Austria         Postal address:         Town:         Postal code:       Country: Austria         E-mail:       Telephone:         Internet-Address:(URL)       Fax:         VI.4.3) Review procedure         Precise information on deadline(s) for review procedures:         VI.4.4) Service from which information about the review procedure may be obtained         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: |   |                         |                  |  |  |  |
|--|---|-------------------------|------------------|--|--|--|
| Internet-Address:(URL)       Fax:         VI.4.2) Body responsible for mediation procedures         Official name:         Postal address:         Town:       Postal code:         Country: Austria         E-mail:       Telephone:         Internet-Address:(URL)       Fax:         VI.4.3) Review procedure         Precise information on deadline(s) for review procedures:         VI.4.3) Service from which information about the review procedure may be obtained         Official name: Bundesverwaltungsgericht         Postal address: Erdbergstraße 192-196         Town: Wien       Postal code: 1030         Country: Austria         E-mail: einlaufstelle@bvwg.gv.at  | Town: Wien  | Postal code: 1030       | Country: Austria |  |  |  |
| VI.4.2) Body responsible for mediation procedures         Official name:         Postal address:         Town:       Postal code:         Country: Austria         E-mail:       Telephone:         Internet-Address:(URL)       Fax:         VI.4.3) Review procedure         Precise information on deadline(s) for review procedures:         VI.4.4) Service from which information about the review procedure may be obtained         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  | E-mail: einlaufstelle@bvwg.gv.at  | Telephone: +43 160149-0 |                  |  |  |  |
| Official name:         Postal address:         Town:       Postal code:         Country: Austria         E-mail:       Telephone:         Internet-Address:(URL)       Fax:         VI.4.3) Review procedure         Precise information on deadline(s) for review procedures:         VI.4.4) Service from which information about the review procedure may be obtained         Official name: Bundesverwaltungsgericht         Postal address: Erdbergstraße 192-196         Town: Wien       Postal code: 1030         E-mail: einlaufstelle@bvwg.gv.at       Telephone: +43 160149-0   | Internet-Address:(URL)  | Fax:                    |                  |  |  |  |
| Postal address:         Town:       Postal code:       Country: Austria         E-mail:       Telephone:         Internet-Address:(URL)       Fax:         VI.4.3) Review procedure       Fax:         Precise information on deadline(s) for review procedures:       VI.4.4) Service from which information about the review procedure may be obtained         Official name: Bundesverwaltungsgericht       Postal code: 1030       Country: Austria         Postal address: Erdbergstraße 192-196       Telephone: +43 160149-0  | VI.4.2) Body responsible for mediation procedures                                 |                         |                  |  |  |  |
| Town:       Postal code:       Country: Austria         E-mail:       Telephone:         Internet-Address:(URL)       Fax:         VI.4.3) Review procedure<br>Precise information on deadline(s) for review procedures:       VI.4.3) Review procedure         VI.4.4) Service from which information about the review procedure may be obtained       Official name: Bundesverwaltungsgericht         Postal address: Erdbergstraße 192-196       Postal code: 1030       Country: Austria         E-mail: einlaufstelle@bvwg.gv.at       Telephone: +43 160149-0  | Official name:  |                         |                  |  |  |  |
| E-mail:       Telephone:         Internet-Address:(URL)       Fax:         VI.4.3) Review procedure<br>Precise information on deadline(s) for review procedures:       VI.4.4) Service from which information about the review procedure may be obtained         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  | Postal address:   |                         |                  |  |  |  |
| Internet-Address:(URL)       Fax:         VI.4.3) Review procedure<br>Precise information on deadline(s) for review procedures:       VI.4.3) Review procedure may be obtained         VI.4.4) Service from which information about the review procedure may be obtained       Official name: Bundesverwaltungsgericht         Postal address: Erdbergstraße 192-196       Vision (Country: Austria)         Town: Wien       Postal code: 1030       Country: Austria)         E-mail: einlaufstelle@bvwg.gv.at       Telephone: +43 160149-0   | Town: Po  | ostal code:             | Country: Austria |  |  |  |
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| 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   |   |                         |                  |  |  |  |
| Postal address: Erdbergstraße 192-196       Town: Wien     Postal code: 1030     Country: Austria       E-mail: einlaufstelle@bvwg.gv.at     Telephone: +43 160149-0   | VI.4.4) Service from which information about the review procedure may be obtained |                         |                  |  |  |  |
| Town: Wien     Postal code: 1030     Country: Austria       E-mail: einlaufstelle@bvwg.gv.at     Telephone: +43 160149-0   | Official name: Bundesverwaltungsgericht   |                         |                  |  |  |  |
| E-mail: einlaufstelle@bvwg.gv.at Telephone: +43 160149-0   | Postal address: Erdbergstraße 192-196   |                         |                  |  |  |  |
|  | Town: Wien  | Postal code: 1030       | Country: Austria |  |  |  |
| Internet-Address:(URL) Fax:  | nail: einlaufstelle@bvwg.gv.at Telephone: +43 160149-0                            |                         |                  |  |  |  |
|  | Internet-Address:(URL)  | Fax:                    |                  |  |  |  |

VI.5) Date of dispatch of this notice: (dd/mm/yyyy)10/12/2020

# SECTION VII: MODIFICATIONS TO THE CONTRACT/CONCESSION

# VII.1) Description of the procurement after the modifications

| VII.1.1) Main CPV code: 45233110 Supplementary CPV code: [][][][][][][][]]   |                               |  |  |  |  |
|--|-------------------------------|--|--|--|--|
| VII.1.2) Additional CPV code(s):<br>Additional CPV code: [][].[][].[][].[][] Supplementary CPV code: [][][][][][][][]]   |                               |  |  |  |  |
| VII.1.3) Place of performance:<br>NUTS code: AT<br>Main site or place of performance: Linz und Ansfelden   |                               |  |  |  |  |
| <b>Description of the procurement:</b> (nature and quantity of works, supplies or services)<br>140. ÄA zu MKF 168 - Zusätzliche Herstellung prov. Rampe LZ34 auf Rampe 3 Linz  |                               |  |  |  |  |
| VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession<br>Duration in months[] or Duration in days:<br>or Start: 08/01/2018 / End: 31/12/2020 Directive 2014/24/EU – In the case of framework agreements, provide justification for any duration exceeding 4 years: |                               |  |  |  |  |
| VII.1.6) Information on value of the contract/lot/concession (excluding VAT)<br>Total value of the contract/lot/concession: [106.786,09]<br>Currency: [ EUR ]  |                               |  |  |  |  |
| The contract/concession has been awarded to a group of economic operators  ves on no <b>VII.1.7</b> ) Name and address of the contractor/concessionaire  |                               |  |  |  |  |
| Official name: Swietelsky Baugesellschaft m.b.h  | National registration number: |  |  |  |  |
| Postal address:  |                               |  |  |  |  |

| Town: Wien   | NUTS code: AT | Postal code: 1040 | Country: Austria              |  |  |
|--|---------------|-------------------|-------------------------------|--|--|
| E-mail:  |               | Telephone:        |                               |  |  |
| Internet address:(URL)   |               |                   | Fax:                          |  |  |
| The contractor is an SME or yes on no  |               |                   |                               |  |  |
| Official name: Bauunternehmung Granit GmbH   |               |                   | National registration number: |  |  |
| Postal address:  |               |                   |                               |  |  |
| Town: Graz   | NUTS code: AT | Postal code: 8025 | Country: AT                   |  |  |
| E-mail:  |               |                   | Telephone:                    |  |  |
| Internet address:(URL)   |               |                   | Fax:                          |  |  |
| The contractor is an SME or yes on (SME – as defined in Commission Recommendation 2003/361/EC) |               |                   |                               |  |  |

# 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): Die MKF beinhaltet die Mehrkosten im Zusammenhang mit der Herstellung eines zusätzlichen Provisorium vom Bestand der A7 RFB Linz im Bereich der LZ34 auf die Rampe 3 Linz.

## 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 adaptions and, in the case of Directive 2014/23/EU, average inflation in the Member State concerned)

Value excluding VAT: [ 166.006.925,37 ] Currency: [ EUR ]

Total contract value after the modifications Value excluding VAT: [ 166.113.711,46 ] Currency: [ EUR ]

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