



## 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 50108-14450	
E-mail: michaela.riener@asfinag.at		Fax: +43 50108-14102	
Internet address(es) Main address: (URL) <a href="http://www.asfinag.at">www.asfinag.at</a> Address of the buyer profile: (URL)			

### SECTION II: OBJECT

#### II.1) Scope of the procurement

<b>II.1.1) Title:</b> A7 Mühlkreis Autobahn, Bypassbrücken, Hauptbaumaßnahme	<b>Reference number:</b> 301704171/100.ÄÄ
<b>II.1.2) Main CPV-Code:</b> 45233110 Supplementary CPV-Code: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]	
<b>II.1.3) Type of contract</b> <input checked="" type="radio"/> Works <input type="radio"/> Supplies <input type="radio"/> Services	

#### II.2) Description

<b>II.2.1) Title:</b> A7 Mühlkreis Autobahn, Bypassbrücken, Hauptbaumaßnahme	<b>Lot No:</b>
<b>II.2.2) Additional CPV code(s)</b> Additional CPV code: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] Supplementary CPV code: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]	
<b>II.2.3) Place of performance</b> NUTS code: AT Main site or place of performance: Linz und Ansfelden	
<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) A7 Mühlkreis Autobahn, Bypassbrücken, Hauptbaumaßnahme	
<b>II.2.7) Duration of the contract, framework agreement, dynamic purchasing system or concession</b> 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  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:** [301704171/100.ÄÄ] **Lot No:** [] **Title:** A7 Mühlkreis Autobahn, Bypassbrücken, Hauptbaumaßnahme

**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  yes  no

**V.2.3) 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:	Country: Austria
E-mail:		Telephone:	
Internet address:(URL)		Fax:	
The contractor is an SME <input type="radio"/> yes <input checked="" type="radio"/> no			
Official name: Bauunternehmung Granit GmbH		National registration number:	
Postal address:			
Town: Graz	NUTS code: AT	Postal code:	Country: AT
E-mail:		Telephone:	
Internet address:(URL)		Fax:	
The contractor is an SME <input type="radio"/> yes <input checked="" type="radio"/> no (SME – as defined in Commission Recommendation 2003/361/EC)			
<b>V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract; excluding VAT)</b>			
Total value of the procurement: [144.933.868,53]			
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:	
<b>VI.4.2) Body responsible for mediation procedures</b>		
Official name:		
Postal address:		
Town:	Postal code:	Country: Austria
E-mail:	Telephone:	
Internet-Address:(URL)	Fax:	
<b>VI.4.3) Review procedure</b>		
Precise information on deadline(s) for review procedures:		
<b>VI.4.4) Service from which information about the review procedure may be obtained</b>		
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.5) Date of dispatch of this notice: (dd/mm/yyyy)26/05/2020**

## SECTION VII: MODIFICATIONS TO THE CONTRACT/CONCESSION

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

<b>VII.1.1) Main CPV code:</b> 45233110 Supplementary CPV code: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]	
<b>VII.1.2) Additional CPV code(s):</b> Additional CPV code: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] Supplementary CPV code: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]	
<b>VII.1.3) Place of performance:</b> NUTS code: AT Main site or place of performance: Linz und Ansfelden	
<b>Description of the procurement:</b> (nature and quantity of works, supplies or services) 100. Zusatzauftrag MKF 110 - Änderung Ausleitung GSA Urfahr	
<b>VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession</b> 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:	
<b>VII.1.6) Information on value of the contract/lot/concession (excluding VAT)</b> Total value of the contract/lot/concession: [109.833,75] Currency: [ EUR ]	
The contract/concession has been awarded to a group of economic operators <input checked="" type="radio"/> yes <input type="radio"/> no	
<b>VII.1.7) Name and address of the contractor/concessionaire</b>	
Official name: Swietelsky Baugesellschaft m.b.H	National registration number:
Postal address:	

Town: Wien	NUTS code: AT	Postal code:	Country: Austria
E-mail:			Telephone:
Internet address:(URL)			Fax:
The contractor is an SME <input type="radio"/> yes <input checked="" type="radio"/> no			
Official name: Bauunternehmung Granit GmbH			National registration number:
Postal address:			
Town: Graz	NUTS code: AT	Postal code:	Country: AT
E-mail:			Telephone:
Internet address:(URL)			Fax:
The contractor is an SME <input type="radio"/> yes <input checked="" type="radio"/> no (SME – as defined in Commission Recommendation 2003/361/EC)			

## VII.2) Information about modifications

<p><b>VII.2.1) Description of the modifications</b></p> <p>Nature and extent of the modifications (with indication of possible earlier changes to the contract): Gemäß Ausschreibung ist für die geordnete Ableitung der Straßenwässer im Bereich Urfahr die GSA Urfahr innerhalb des Knoten Urfahr zwischen der RFB Freistadt und den Rampen 1, 5 und 7 zu errichten. Die Gewässerschutzanlage Urfahr besteht aus der Pumpstation Urfahr, dem Absetzbecken, dem Bodenfilterbecken und dem Ausleitungskanal zur. Aufgrund eines Abänderungsbescheides der Bau- und Bezirksverwaltung Linz sind Änderungen in der Detailplanung erforderlich, die nicht in der Sphäre des AN liegen. Maßgebend für diesen Änderungsbescheid (Wasserrecht) ist eine zu schützende Baumgruppe, die nicht gerodet werden darf. Letztendlich kann der Ausleitungskanal aufgrund der Umplanung für die neue Trassenführung, vorbei an der zu schützenden Baumgruppe, nicht, wie ursprünglich geplant, fertiggestellt und in Betrieb genommen werden.</p>
<p><b>VII.2.2) Reasons for modification</b></p> <ul style="list-style-type: none"> <li><input type="radio"/> 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:</li> <li><input type="radio"/> 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:</li> </ul>
<p><b>VII.2.3) Increase in price</b></p> <p>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)</p> <p>Value excluding VAT: [ 82.880,97 ] Currency: [ EUR ]</p> <p>Total contract value after the modifications</p> <p>Value excluding VAT: [ 109.833,75 ] Currency: [ EUR ]</p>

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