

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-National registration AKTIENGESELLSCHAFT number: Postal address: zH ASFINAG Bau Management GmbH, Modecenterstr. 16 NUTS code: AT Town: Wien Postal code: 1030 Country: Austria Contact person: Telephone: +43 50108/14138 E-mail: harald.mayer@asfinag.at Fax: +43 50108/14182 Internet address(es) Main address: (URL) www.asfinag.at

Address of the buyer profile: (URL)

SECTION II: OBJECT

II.1) Scope of the procurement

| II.1.1) Title: A4 Ostautobahn RP Neusiedl und Parndorf, Bauleistungen inkl. E+M, Alternativangebot 11 | Reference number: 0 |
|--|---------------------|
| II.1.2) Main CPV-Code: 45200000 Supplementary CPV-Code: [][][][][][][][][][] | |

II.1.3) Type of contract • Works Supplies Services

II.2) Description

| II.2.1) Title: A4, RP Neusiedl und Parndorf, Bauleistungen inkl. E+M, Alternativangebot 11 | 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: Projektgebiet und Wien

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

A4 Ostautobahn RP Neusiedl und Parndorf, Bauleistungen inkl. E+M, Alternativangebot 11

II.2.7) Duration of the contract, framework agreement, dynamic purchasing system or concession

Duration in months[] or Duration in days:

or Start: 22/03/2019 / End: 27/01/2020

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 o 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: [][][]/S [][]–[][][][][][][][] |

SECTION V: AWARD OF CONTRACT/CONCESSION

Contract No: [301901075] Lot No: [] Title: A4 Ostautobahn, RP Neusiedl und Parndorf, Bauleistungen inkl. E+M, Alternativangebot 11

V.2) Award of contract/concession

| V.2.1) Date of conclusion of the contract/concession award decision: 22/03/2019 (dd/mm/yyyy) | | | | | | |
|--|---|-----------------------------|-------------------------------|--|--|--|
| V.2.2) Information about tenders | | | | | | |
| The contract/concession has been awa | The contract/concession has been awarded to a group of economic operators | | | | | |
| V.2.3) Name and address of the cor | ntractor/concessionaire | | | | | |
| Official name: ARGE A4 Parndorf - N Leyrer + Graf) | ickelsdorf (bestehend aus HA | ABAU, Gebrüder Haider, | National registration number: | | | |
| Postal address: Kaufmännische Geschä | iftsführung | | | | | |
| Town: Großraming 40 | NUTS code: AT | Postal code: 4463 | Country: Austria | | | |
| E-mail: | | • | Telephone: | | | |
| Internet address:(URL) | | | Fax: | | | |
| The contractor is an SME or yes 💿 | no | | | | | |
| Official name: HABAU Hoch- und Tiefbau GmbH | | | National registration number: | | | |
| Postal address: Greiner Straße 63 | | | | | | |
| Town: Perg | NUTS code: AT | Postal code: 4320 | Country: AT | | | |
| E-mail: Telephone: | | | | | | |
| Internet address:(URL) | | | Fax: | | | |
| The contractor is an SME or yes () | no (SME – as defined in Co | mmission Recommendation 200 |)3/361/EC) | | | |
| Official name: Gebrüder Haider Bauunternehmung GmbH | | | National registration number: | | | |
| Postal address: Großraming 40 | Postal address: Großraming 40 | | | | | |
| Town: Großraming | NUTS code: AT | Postal code: 4463 | 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) | | | | | | |
| | | | National registration number: | | | |

Postal address: Conrathstraße 6

| Town: Gmünd | NUTS code: AT | Postal code: 3950 | 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) | | | /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: [8.089.307,78] 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 1/6014 | 49 | |
| Internet-Address:(URL) | | Fax: | | |
| VI.4.2) Body responsible for mediation proc | edures | | | |
| Official name: | | | | |
| Postal address: | | | | |
| Town: | Po | Postal code: Country: Austria | | |
| E-mail: | Te | Telephone: | | |
| Internet-Address:(URL) | Fax: | | | |
| VI.4.3) Review procedure Precise information on deadline(s) for review pro | ocedures: | | | |
| VI.4.4) Service from which information about | it the reviev | v procedure may be ob | tained | |
| Official name: Bundesverwaltungsgericht | | | | |
| Postal address: Erdbergstraße 192-196 | | | | |
| Town: Wien | | Postal code: 1030 | | Country: Austria |
| E-mail: einlaufstelle@bvwg.gv.at | | Telephone: +43 1/60149 | | |
| Internet-Address:(URL) | nternet-Address:(URL) Fax: | | | |

VI.5) Date of dispatch of this notice: (dd/mm/yyyy)01/04/2020

SECTION VII: MODIFICATIONS TO THE CONTRACT/CONCESSION

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code: 45200000 Supplementary CPV code: [][][][][][][][]

VII.1.2) Additional CPV code(s):

| Additional CPV code: [| [][].[][].[][].[][].[]] | Supplementary CPV | ['] code: [][][][][] [][][][] |
|------------------------|-------------------------|-------------------|---|
|------------------------|-------------------------|-------------------|---|

VII.1.3) Place of performance:

NUTS code: AT Main site or place of performance: Projektgebiet und Wien

Description of the procurement: (nature and quantity of works, supplies or services) A4 Ostautobahn, RP Neusiedl und Parndorf, Bauleistungen inkl. E+M, Alternativangebot 11

VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession

Duration in months[] or Duration in days: or Start: 22/03/2019 / End: 27/01/2020

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) Total value of the contract/lot/concession: [43.275,73] Currency: [EUR]

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

VII.1.7) Name and address of the contractor/concessionaire

| Official name: Arge A4 Parndorf - Nickelsdorf (bestehend aus HABAU, Gebrüder Haider, Leyrer+Graf) | | | National registration number: | |
|--|----------------------|------------------------------|-------------------------------|--|
| Postal address: Kaufmännische Geschäftsführung | | | | |
| Town: Großraming 40 | NUTS code: AT | Postal code: 4463 | Country: Austria | |
| E-mail: | | | Telephone: | |
| Internet address:(URL) | | | Fax: | |
| The contractor is an SME or yes | no | | | |
| Official name: HABAU Hoch- und Tiefbau GmbH | | | National registration number: | |
| Postal address: Greiner Straße 63 | | | | |
| Town: Perg | NUTS code: AT | Postal code: 4320 | Country: AT | |
| E-mail: | Telephone: | | | |
| Internet address:(URL) | | | Fax: | |
| The contractor is an SME 🔵 yes 💿 | no (SME - as defined | in Commission Recommendation | n 2003/361/EC) | |
| Official name: Gebrüder Haider Bauunternehmung GmbH | | | National registration number: | |
| Postal address: Großraming 40 | | | | |
| Town: Großraming | NUTS code: AT | Postal code: 4463 | Country: AT | |
| E-mail: | Telephone: | | | |
| Internet address:(URL) | Fax: | | | |
| The contractor is an SME 🔘 yes 🛛 🖲 | no (SME - as defined | in Commission Recommendation | n 2003/361/EC) | |
| Official name: Leyrer+Graf Bau GmbH | | | National registration number: | |
| Postal address: Conrathstraße 6 | | | | |
| Town: Gmünd | NUTS code: AT | Postal code: 3950 | Country: AT | |
| E-mail: | | | Telephone: | |
| Internet address:(URL) | | | Fax: | |

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): MKF 10: Trassenfindung Druckleitung V+E MKF 09: Fehlende Grundlagenplanung Medienschächte / Pumpwerke MKF 17: Mehrkosten fehlende Positionen IFZ MKF 23: Änderung Fassade IFZ (Minderkosten)

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: [8.143.952,12] Currency: [EUR]

Total contract value after the modifications Value excluding VAT: [8.187.227,85] Currency: [EUR]

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