

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

#### **CONTRACT NOTICE**

Directive 2014/24/EU

# SECTION I: CONTRACTING AUTHORITY

## I.1) Name and addresses

(please identify all contracting authorities responsible for the procedure)

Official name: HETA ASSET RESOLUTION AG			National registration number:	
Postal address: Alpen-Adria-Platz 1				
Town: Klagenfurt am Wörthersee	NUTS code: AT21	Postal code: 9020	Country: Austria	
Contact person: Miklós Revay			Telephone:	
E-mail: project.omega@pwc.com			Fax:	
Internet address(es) Main address: (URL) www.heta-asset-resolution.com Address of the buyer profile: (URL)				

### I.2) Joint procurement

□ The contract involves joint procurement

In the case of joint procurement involving different countries, state applicable national procurement law:

□ The contract is awarded by a central purchasing body

### I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at:

(URL)

Access to the procurement documents is restricted. Further information can be obtained at:

(URL) www.heta-asset-resolution.com

Additional information can be obtained from

• the abovementioned address

another address:

Tenders or requests to participate must be submitted

electronically via:

(URL)

to the abovementioned address

• to the following address:

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at:

(URL)

### I.4) TYPE OF THE CONTRACTING AUTHORITY

□ Ministry or any other national or federal authority, including their regional or local subdivisions

 $\square$  Body governed by public law

National	or federal	agency/office
1 futional	or reactar	ugene g/onnee

- $\square$  European institution/agency or international organisation
- Other: Wind down company

 $\hfill\square$  Regional or local authority

□ Regional or local agency/office

# I.5) MAIN ACTIVITY

□ General public services	□ Housing and community amenities
□ Defence	□ Social protection
□ Public order and safety	□ Recreation, culture and religion
Environment	□ Education
$\checkmark$ Economic and financial affairs	□ Other activity:
□ Health	

## **SECTION II: OBJECT II.1) Scope of the procureme**

II.1) Scope of the procurement		
II.1.1) Title:INVITATION TO PARTICIPATE IN PORTFOLIO DISPOSAL PROCESS	<b>Reference</b> number:INVITATION TO PARTICIPATE IN PORTFOLIO DISPOSAL	
II.1.2) Main CPV-Code: 66000000 Supplementary CPV-Code: [][][][][][][][][][]]		
II.1.3) Type of contract O Works O Supplies Services		
<b>II.1.4)</b> Short description:HETA ASSET RESOLUTION AG ("HETA"), a company owned by the a loan portfolio representing approx. EUR 135m of notional amount (the "Portfolio"). The Portfolio with different maturities, each backed by individual residential housing loans granted by the state of to divest the Portfolio to a Preferred Eligible Investor (as defined below). The contemplated transfer referred to as the "Omega II Transaction". It is envisaged to conduct the Omega II Transaction in the open, transparent and non-discriminatory bidding process, which is anticipated to be closed by the 2020. The Omega II Transaction shall be governed by Austrian law. Although it is the clear prefere one single transaction to one bidder, separate expressions of interest and/or bids for entire individua provided that the interested parties explicitly highlight their limited interest. The commercially best bip preferential treatment given to offers covering all three tranches of the Portfolio. HETA has appoint GmbH ("PwC") as financial adviser to assist with the Omega II Transaction. Individual entities or c participating in the Omega II Transaction (each, an "Interested Party") are required to submit a writ ("EoI") containing at least the following: a) Name, address and short description of the Interested P member in case of a consortium), including name and information regarding its owners up to its ultir contact details of the person(s) who can be contacted in case of queries. b) Rationale for participati Transaction. c) Confirmation that the Interested Party is acting as principal for its own account or, is submitting an EoI on behalf of an Interested Party, submission of written and adequate proof of the such agent or broker. d) Information indicating that the Interested Party may be deemed as Prefere following legal entities qualify as preferred eligible investor ("Preferred Eligible Investor"): a) financia or Switzerland (including insurance companies, pension funds and similar regulated entities); b) spec pursuant to § 3 (5	is divided into three tranches Upper Austria. HETA intends of the Portfolio is hereinafter ne form of an asset deal in an end of the 1st quarter of nce to divest the Portfolio via al tranches are also permitted id will be selected, with ted PwC Advisory Services onsortia interested in ten expression of interest arty (or of each consortium mate beneficial owner, and ng in the Omega II n case of agents or brokers power of representation of d Eligible Investor. The al institutions seated in the EEA ial securitization entities	

## II.1.5) Estimated total value

Value excluding VAT: Currency:

(for framework agreements or dynamic purchasing systems – estimated total maximum value for the entire duration of the framework agreement or dynamic purchasing system)

## II.1.6) Information about lots

This contract is divided into lots \_ yes • no

Tenders may be submitted for all lots maximum number of lots : one lot only

□ Maximum number of lots that may be awarded to one tenderer:

□ The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

## II.2) Description

#### II.2.1) Title: INVITATION TO PARTICIPATE IN PORTFOLIO DISPOSAL PROCESS

**II.2.2)** Additional CPV code(s) Additional CPV code: [][].[][].[][] Supplementary CPV code: [][][][][][][]

II.2.3) Place of performance

NUTS code: AT21

Main site or place of performance: Klagenfurt

II.2.4) Description of the procurement: Interested Parties are required to submit their written EoI in English or German, titled "Expression of Interest for the Participation in the Omega II Transaction", by 5 pm CET on DECEMBER 20th, 2019 electronically per e-mail to: Contact details: Miklós Revay, E-mail: project.omega@pwc.com. After receipt and evaluation of their EoI, Interested Parties may be invited to participate in the disposal process and receive further information regarding the Omega II Transaction, subject to the execution of a non-disclosure undertaking provided by HETA. HETA reserves the right to extend the above stated deadline for the submission of an EoI, amend the contemplated timeline, scope or any other terms of, or discontinue, the disposal process with individual or all Interested Parties or amend the scope or any terms of the Omega II Transaction as a whole or in part or modify the Omega II Transaction structure or change, reduce or add receivables to the Portfolio at its sole discretion at any time, provided that HETA will at all times act in a way consistent with the principles of an open, transparent and non-discriminatory bidding process. For further clarification or enquiries, Interested Parties may contact the contact person at PwC stated above. Legal Notices: Neither this notice nor the release of any information to an Interested Party constitutes, or may be used for, any offer to sell or a solicitation of an offer to subscribe for or purchase any securities by any person in any jurisdiction or under any circumstance. The distribution of this invitation in certain jurisdictions may be restricted by law, and recipients should inform themselves about, and observe any applicable legal or regulatory requirements in relation to, the distribution or possession of this invitation. Neither HETA, PwC nor any of their respective affiliates, directors, officers, employees, advisers or agents ("Related Parties") accept any liability to any person in relation to the distribution or possession of this invitation in any jurisdiction. By submitting an EoI an Interested Party confirms that it is a person able to receive the information provided to it (or which may be provided to it in any subsequent phase) without contravention of any unfulfilled registration requirements or other applicable legal or regulatory restrictions in the jurisdictions in which it resides or conducts business. PwC is acting exclusively for HETA and no one else in connection with the Omega II Transaction and PwC will not be responsible to anyone other than HETA for providing the protections afforded to its clients for providing advice in relation to the Omega II Transaction or in relation to the contents of this invitation. HETA and PwC, and their respective Related Parties expressly state that no representation or warranty is made by this invitation and expressly disclaim any and all liability for representations or warranties deemed to be made or statements contained in this invitation to any prospective purchaser. (nature and quantity of works, supplies or services or indication of needs and requirements)

# II.2.5) Award criteria

Criteria below

Price is not the only award criterion and all criteria are stated only in the procurement documents

#### II.2.6) Estimated value

Value excluding VAT: [] Währung: [][] [] (for framework agreements or dynamic purchasing systems – estimated total maximum value for the entire duration of this lot)

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

Duration in months: 3 or Duration in days: [] or Start: (dd/mm/yyyy) / End:(dd/mm/yyyy)

This contract is subject to renewal

Description of renewals:

## II.2.9) Information about the limits on the number of candidates to be invited

Envisaged number of candidates: []

or Envisaged minimum number: [] / Maximum number: [] Objective criteria for choosing the limited number of candidates:

#### **II.2.10**) Information about variants

□ Variants will be accepted

#### II.2.11) Information about options

Options

Description of options:

### II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

### 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:

#### II.2.14) Additional information:

# SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION III.1) Conditions for participation

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

#### III.1.2) Economic and financial standing

□ Selection criteria as stated in the procurement documents

List and brief description of selection criteria:

Minimum level(s) of standards possibly required:

#### III.1.3) Technical and professional ability

□ Selection criteria as stated in the procurement documents

List and brief description of selection criteria:

Minimum level(s) of standards possibly required:

## **III.1.5)** Information about reserved contracts

The contract is reserved to sheltered workshops and economic operators aiming at the social and professional integration of disabled or disadvantaged persons

□ The execution of the contract is restricted to the framework of sheltered employment programmes

#### **III.2**) Conditions related to the contract

III.2.1) Information about a particular profession(only for service contracts)

Execution of the service is reserved to a particular profession

Reference to the relevant law, regulation or administrative provision:

#### III.2.2) Contract performance conditions:

#### III.2.3) Information about staff responsible for the performance of the contract

C Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

SECTION IV: PROCEDURE IV.1) Description

IV.1	.1) Type of procedure
0	Open procedure
ſ	Accelerated procedure:
	Justification:
0 I	Restricted procedure
I	□ Accelerated procedure:
	Justification:
۰	Competitive procedure with negotiation
I	Accelerated procedure:
	Justification:
0	Competitive dialogue
01	Innovation partnership
IV.1	.3) Information about a framework agreement or a dynamic purchasing system
	The procurement involves the establishment of a framework agreement
0	Framework agreement with a single operator
0	Framework agreement with several operators
E	nvisaged maximum number of participants to the framework agreement:
	The procurement involves the setting up of a dynamic purchasing system
I	□ The dynamic purchasing system might be used by additional purchasers
In the	e case of framework agreements, provide justification for any duration exceeding 4 years:
IV.1.	.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue
	Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated
IV.1	.5) Information about negotiation (only for competitive procedures with negotation)
	The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations
IV.1.	.6) Information about electronic auction
	An electronic auction will be used
Addi	tional information about electronic auction:
IV.1.	8) Information about the Government Procurement Agreement (GPA)
The	procurement is covered by the Government Procurement Agreement 🔘 yes 💿 no

## IV.2) Administrative information

**IV.2.1) Previous publication concerning this procedure** Notice number in the OJ S: [][][]/S [][][]–[][][][][][][][]] (One of the following: Prior information notice; Notice on a buyer profile)

**IV.2.2) Time limit for receipt of tenders or requests to participate** Date: (dd/mm/yyyy) 20/12/2019 Local time: (hh:mm) 17:00

**IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates** Date:(dd/mm/yyyy) **IV.2.4)** Languages in which tenders or requests to participate may be submitted EN

**IV.2.6) Minimum time frame during which the tenderer must maintain the tender** Tender must be valid until: (dd/mm/yyyy) or Duration in months: [] (from the date stated for receipt of tender)

# **IV.2.7**) Conditions for opening of tenders

Information about authorised persons and opening procedure:

# SECTION VI: COMPLEMENTARY INFORMATION

# VI.1) Information about recurrence

This is a recurrent procurement 
on
o
yes
Estimated timing for further notices to be published:

VI.2) Information about electronic workflows

 $\square$  Electronic ordering will be used

- $\square$  Electronic invoicing will be accepted
- $\square$  Electronic payment will be used

# VI.3) Additional information

#### VI.4) Procedures for review

VI.4.1) Review body				
Official name: not applicable				
Postal address: not applicable				
Town: not applicable	Postal code:	Country: Austria		
E-mail:	Telephone:			
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.4.4) Service from which information about the rev	view procedure may be obtain	ned		
Official name:				
Postal address:				
Town:	Postal code:	Country: Austria		
E-mail:	Telephone:			

Fax:

# VI.5) Date of dispatch of this notice: (dd/mm/yyyy):28/11/2019

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