

**Germany-Heilbronn: Special-purpose road passenger-transport services**

OJ S 147/2018 02/08/2018

Contract award notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Stadt Heilbronn, Schul-, Kultur- und Sportamt

Postal address: Marktplatz 11

Town: Heilbronn

Postal code: 74072

Country: Germany

Contact person: Anfragen werden ausschließlich über folgende URL beantwortet: <http://www.subreport.de/E19996197>E-mail: [vergabemanagement@heilbronn.de](mailto:vergabemanagement@heilbronn.de)

Telephone: +49 7131561241

Fax: +49 713156161241

**Internet address(es):**General address of the contracting authority: [www.heilbronn.de](http://www.heilbronn.de)Electronic access to information: <http://www.subreport.de/E19996197>Electronic submission of tenders and requests to participate: <http://www.subreport.de/E19996197>**I.2. Type of the contracting authority**

Regional or local authority

**I.3. Main activity**

General public services

**I.4. Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities: no

**Section II: Object of the contract**

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**II.1. Description****II.1.1. Title**

Schülerbeförderung

**II.1.2. Type of contract and place of performance or delivery**

Services

Service category No 2: Land transport services [2], including armoured car services, and courier services, except transport of mail

Main site or place of performance: Stadt- und Landkreis Heilbronn

NUTS code DE117 Heilbronn, Stadtkreis

**II.1.3. Information about a framework agreement or a dynamic purchasing system (DPS)****II.1.4.**

### **Short description of the contract or purchase(s)**

Beförderung mit besonderen Schülerfahrzeugen von Schülerinnen, Schülern, Schulkindergartenkindern für Folgende Schulen:

Gebrüder-Grimm-Schule (sonderpäd. Bildungs- und Beratungszentrum Sprache) Hermann-Herzog-Schule (sonderpäd. Bildungs- und Beratungszentrum Sehen) Paul-Meyle-Schule (sonderpäd. Bildungs- und Beratungszentrum geistige Entwicklung und körperliche und motorische Entwicklung) für die Schuljahre 2018/2019 bis 2021/2022 (4 Jahre) sowie Grundschulförderklassen für das Schuljahr 2018/2019 mit dreimaliger Verlängerungsoption um jeweils ein Schuljahr.

#### **II.1.5. CPV code(s)**

60130000 Special-purpose road passenger-transport services

#### **II.1.6. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

#### **II.2. Total value of the contract/lot**

##### **II.2.1. Total value of the contract/lot**

Value: 3 913 084,04 EUR

### **Section IV: Procedure**

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#### **IV.1. Type of procedure**

##### **IV.1.1. Type of procedure**

Open

#### **IV.2. Award criteria**

##### **IV.2.1. Award criteria**

Lowest price

##### **IV.2.2. Information about electronic auction**

An electronic auction has been used: no

#### **IV.3. Administrative information**

##### **IV.3.1. File reference number attributed by the contracting authority**

40.12/oe-40.22.01

##### **IV.3.2. Previous publication concerning this procedure**

###### **Contract notice**

Notice number in the OJ S: [2018/S 052-116304](#) of 15.3.2018

### **Section V: Award of contract**

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Contract No: Schülerbeförderung

Lot No: 1

- Lot title: Linie 01

#### **V.1. Date of conclusion of the contract**

11.6.2018

#### **V.2. Information about tenders**

Number of tenders received by electronic means: 3

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner  
Postal address: Ziegelhütte 20  
Town: Neuenstadt  
Postal code: 74196  
Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:  
Value: 168 501,12 EUR  
Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 2

- Lot title: Linie 02

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 2

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner  
Postal address: Ziegelhütte 20  
Town: Neuenstadt  
Postal code: 74196  
Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:  
Value: 165 949,20 EUR  
Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 3

- Lot title: Linie 03

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 4

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner  
Postal address: Ziegelhütte 20  
Town: Neuenstadt

Postal code: 74176

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 113 839,44 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 4

- Lot title: Linie 04

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 4

**V.3. Name and address of the contractor**

Official name: Götz e.K.

Postal address: Käppelesäcker 1

Town: Erlenbach

Postal code: 74235

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 115 067,04 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 5

- Lot title: Linie 05

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 4

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner

Postal address: Ziegelhütte 20

Town: Neuenstadt

Postal code: 74196

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 173 783,52 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 6

- Lot title: Linie 6

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 5

**V.3. Name and address of the contractor**

Official name: Götz e.K.

Postal address: Käppelesäcker 1

Town: Erlenbach

Postal code: 74235

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 136 241,28 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 7

- Lot title: Linie 07

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 4

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner

Postal address: Ziegelhütte 20

Town: Neuenstadt

Postal code: 74196

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 152 081,04 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 8

- Lot title: Linie 08

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 5

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner

Postal address: Ziegelhütte 20

Town: Neuenstadt

Postal code: 74196

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 139 968,72 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 9

- Lot title: Linie 09

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 3

**V.3. Name and address of the contractor**

Official name: Götz e.K.

Postal address: Käppelesäcker 1

Town: Erlenbach

Postal code: 74235

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 152 847,36 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 10

- Lot title: Linie 10

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 4

**V.3. Name and address of the contractor**

Official name: Götz e.K.  
Postal address: Käppelesäcker 1  
Town: Erlenbach  
Postal code: 74235  
Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:  
Value: 130 505,04 EUR  
Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 11

- Lot title: Linie 11

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 4

**V.3. Name and address of the contractor**

Official name: Götz e.K.  
Postal address: Käppelesäcker 1  
Town: Erlenbach  
Postal code: 74235  
Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:  
Value: 75 307,68 EUR  
Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 12

- Lot title: Linie 12

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 3

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner  
Postal address: Ziegelhütte 20  
Town: Neuenstadt

Postal code: 74196

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 151 842,96 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 13

- Lot title: Linie 13

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 4

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner

Postal address: Ziegelhütte 20

Town: Neuenstadt

Postal code: 74196

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 188 291,52 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 14

- Lot title: Linie 14

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 5

**V.3. Name and address of the contractor**

Official name: Götz e.K.

Postal address: Käppelesäcker 1

Town: Erlenbach

Postal code: 74235

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 136 925,76 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 15

- Lot title: Linie 15

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 4

**V.3. Name and address of the contractor**

Official name: Götz e.K.

Postal address: Käppelesäcker 1

Town: Erlenbach

Postal code: 74235

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 127 610,88 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 16

- Lot title: Linie 16

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 3

**V.3. Name and address of the contractor**

Official name: Taxizentrale Heilbronn

Postal address: Fontanestr. 1

Town: Heilbronn

Postal code: 74074

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 13 533,36 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 17

- Lot title: Linie N01

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 5

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner

Postal address: Ziegelhütte 20

Town: Neuenstadt

Postal code: 74196

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 9 208,16 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 18

- Lot title: Linie N02

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 5

**V.3. Name and address of the contractor**

Official name: ASB Heilbronn

Postal address: Wilhelmstr. 34

Town: Heilbronn

Postal code: 74072

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 12 312,00 EUR

excluding VAT

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 19

- Lot title: Linie N03

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 5

**V.3. Name and address of the contractor**

Official name: Busreisen Linder  
Postal address: Ziegelhütte 20  
Town: Neuenstadt  
Postal code: 74196  
Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:  
Value: 7 755,04 EUR  
Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 20

- Lot title: Linie N04

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 6

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner  
Postal address: Ziegelhütte 20  
Town: Neuenstadt  
Postal code: 74196  
Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:  
Value: 4 119,20 EUR  
Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 21

- Lot title: Linie N05

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 6

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner  
Postal address: Ziegelhütte 20  
Town: Neuenstadt

Postal code: 74196

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 5 573,84 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 22

- Lot title: Linie N06

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 2

**V.3. Name and address of the contractor**

Official name: ASB Heilbronn

Postal address: Wilhelmstr. 34

Town: Heilbronn

Postal code: 74072

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 10 064,00 EUR

excluding VAT

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 23

- Lot title: Linie N07

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 3

**V.3. Name and address of the contractor**

Official name: Taxizentrale Heilbronn

Postal address: Fontanestr. 1

Town: Heilbronn

Postal code: 74074

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 9 881,96 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 24

- Lot title: Linie N08

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 5

**V.3. Name and address of the contractor**

Official name: ASB Heilbronn

Postal address: Wilhelmstr. 34

Town: Heilbronn

Postal code: 74072

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 12 007,24 EUR

excluding VAT

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 25

- Lot title: Linie N09

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 4

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner

Postal address: Ziegelhütte 20

Town: Neuenstadt

Postal code: 74196

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 11 798,56 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 26

- Lot title: Linie N10

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 4

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner

Postal address: Ziegelhütte 20

Town: Neuenstadt

Postal code: 74196

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 4 482,92 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 27

- Lot title: GFK Elly

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 1

**V.3. Name and address of the contractor**

Official name: ASB Heilbronn

Postal address: Wilhelmstr. 34

Town: Heilbronn

Postal code: 74072

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 93 922,56 EUR

excluding VAT

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 28

- Lot title: GFK Rosenau

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 3

**V.3. Name and address of the contractor**

Official name: Busreisen Lindner  
Postal address: Ziegelhütte 20  
Town: Neuenstadt  
Postal code: 74196  
Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:  
Value: 127 372,80 EUR  
Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 29

- Lot title: PMS Buslinien 1+2

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 2

**V.3. Name and address of the contractor**

Official name: Friedrich Gross OHG  
Postal address: Weinsberger Str. 43  
Town: Heilbronn  
Postal code: 74072  
Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:  
Value: 425 489,36 EUR  
Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 30

- Lot title: PMS Sammeltransporte

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 1

**V.3. Name and address of the contractor**

Official name: ASB Heilbronn  
Postal address: Wilhelmstr. 34  
Town: Heilbronn

Postal code: 74072

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 899 455,84 EUR

excluding VAT

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 31

- Lot title: PMS AK Ludwig-Pfau

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 2

**V.3. Name and address of the contractor**

Official name: Taxi Coskuntuna

Postal address: Eichendorffweg 3

Town: Flein

Postal code: 74223

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 97 934,96 EUR

Including VAT. VAT rate (%) 7,00

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

Contract No: Schülerbeförderung

Lot No: 32

- Lot title: PMS AK Staufenberg

**V.1. Date of conclusion of the contract**

11.6.2018

**V.2. Information about tenders**

Number of tenders received by electronic means: 2

**V.3. Name and address of the contractor**

Official name: Taxizentrale Heilbronn

Postal address: Fontanestr. 1

Town: Heilbronn

Postal code: 74074

Country: Germany

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 39 409,68 EUR

Including VAT. VAT rate (%) 7,00

#### **V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

### **Section VI: Complementary information**

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#### **VI.1. Information about European Union funds**

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

#### **VI.2. Additional information**

Die Bieter werden einmalig aufgefordert, evtl. fehlende, unvollständige oder fehlerhafte Nachweise bzw. Beschreibungen der technischen Spezifikationen innerhalb einer Frist von 6 Kalendertagen, gerechnet vom Tag nach Absendung der Aufforderung nachzureichen oder nachzubessern. Geschieht dies innerhalb der gesetzten Frist nicht, wird das Angebot vom weiteren Verfahren ausgeschlossen. Die Aufforderung wird über die Vergabeplattform subreportELVIS versandt, die nachgeforderten Unterlagen sind vom Bieter auf der Vergabeplattform subreportELVIS einzustellen. Zur Fristwahrung ist der rechtzeitige upload auf der Vergabeplattform subreportELVIS maßgeblich.

#### **VI.3. Procedures for review**

##### **VI.3.1. Review body**

Official name: Vergabekammer Baden-Württemberg beim Regierungspräsidium Karlsruhe

Postal address: Kapellenstr. 17

Town: Karlsruhe

Postal code: 76131

Country: Germany

E-mail: [vergabekammer@rpk.bwl.de](mailto:vergabekammer@rpk.bwl.de)

Telephone: +49 7219264049

Fax: +49 7219263985

Internet address: <http://rp-Karlsruhe.de>

##### **VI.3.2. Review procedure**

Precise information on deadline(s) for review procedures: Informations- und Wartepflicht (§ 134 GWB – Gesetz gegen Wettbewerbsbeschränkungen)

(1) Öffentliche Auftraggeber haben die Bieter, deren Angebote nicht berücksichtigt werden sollen, über den Namen des Unternehmens, dessen Angebot angenommen werden soll, über die Gründe der vorgesehenen Nichtberücksichtigung ihres Angebots und über den frühesten Zeitpunkt des Vertragsschlusses unverzüglich in Textform zu informieren. Dies gilt auch für Bewerber, denen keine Information über die Ablehnung ihrer Bewerbung zur Verfügung gestellt wurde, bevor die Mitteilung über die Zuschlagsentscheidung an die betroffenen Bieter ergangen ist.

(2) Ein Vertrag darf erst 15 Kalendertage nach Absendung der Information nach Abs. 1 geschlossen werden. Wird die Information auf elektronischem Weg oder per Fax versendet, verkürzt sich die Frist auf 10 Kalendertage. Die Frist beginnt am Tag nach der Absendung der Information durch den Auftraggeber; auf den Tag des Zugangs beim betroffenen Bieter und Bewerber kommt es nicht an.

(3) Die Informationspflicht entfällt in Fällen, in denen das Verhandlungsverfahren ohne vorherige Bekanntmachung wegen besonderer Dringlichkeit gerechtfertigt ist.

Satz 2 nicht zitiert, da irrelevant.

Einleitung des Verfahrens vor der Vergabekammer, Antrag (§ 160 GWB):

(1) Die Vergabekammer leitet ein Nachprüfungsverfahren nur auf Antrag ein.

(2) Antragsbefugt ist jedes Unternehmen, das ein Interesse an dem öffentlichen Auftrag oder der Konzession hat und eine Verletzung in seinen Rechten nach § 97 Abs. 6 durch Nichtbeachtung von Vergabevorschriftengeltend macht. Dabei ist darzulegen, dass dem Unternehmen durch die behauptete Verletzung der Vergabevorschriften ein Schaden entstanden ist oder zu entstehen droht.

(3) Der Antrag ist unzulässig, soweit

1) der Antragsteller den geltend gemachten Verstoß gegen Vergabevorschriften vor Einreichen des Nachprüfungsantrages erkannt und gegenüber dem Auftraggeber nicht innerhalb einer Frist von 10 Kalendertagen gerügt hat; der Ablauf der Frist nach § 134 Abs. 2 bleibt unberührt,

2) Verstöße gegen Vergabevorschriften, die aufgrund der Bekanntmachung erkennbar sind, nicht spätestens bis zum Ablauf der in der Bekanntmachung benannten Frist zur Bewerbung oder zur Angebotsabgabe gegenüber dem Auftraggeber gerügt werden,

3) Verstöße gegen Vergabevorschriften, die erst in den Vergabeunterlagen erkennbar sind, nicht spätestens bis zum Ablauf der Frist zur Bewerbung oder zur Angebotsabgabe gegenüber dem Auftraggeber gerügt werden,

4) mehr als 15 Kalendertage nach Eingang der Mitteilung des Auftraggebers, einer Rüge nicht abhelfen zu wollen, vergangen sind.

Satz 1 gilt nicht bei einem Antrag auf Feststellung der Unwirksamkeit des Vertrages nach § 135 Abs. 1 Nr. 2. §134 Abs. 1 Satz 2 bleibt unberührt.

#### **VI.3.3. Service from which information about the review procedure may be obtained**

Official name: Vergabekammer Baden-Württemberg beim Regierungspräsidium Karlsruhe

Postal address: Kapellenstr. 17

Town: Karlsruhe

Postal code: 76131

Country: Germany

E-mail: [vergabekammer@rpk.bwl.de](mailto:vergabekammer@rpk.bwl.de)

Telephone: +49 7219264049

Fax: +49 7219263985

Internet address: <http://rp-Karlsruhe.de>

#### **VI.4. Date of dispatch of this notice**

1.8.2018