

Germany-Augsburg: Metal-working machine tools
OJ S 245/2020 16/12/2020
Contract award notice
Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: IHK Akademie Schwaben Arbeit und Bildung GmbH

Postal address: Werner-von-Siemens-Straße 6

Town: Augsburg

NUTS code: DE27 Schwaben

Postal code: 86159

Country: Germany

E-mail: Einkauf@schwaben.ihk.de

Internet address(es):

Main address: www.ihk-akademie-schwaben.de

I.2. Information about joint procurement

The contract is awarded by a central purchasing body

I.4. Type of the contracting authority

Other type: Bildungseinrichtung

I.5. Main activity

Education

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Maschinenausstattung und Zubehör für die Bildungszentren Augsburg, Neu-Ulm, Kaufbeuren und Kempten (BvA)

Reference number: ARBI-2020/EU0410

II.1.2. Main CPV code

42630000 Metal-working machine tools

II.1.3. Type of contract

Supplies

II.1.4. Short description

Die IHK-Akademie Schwaben, Arbeit und Bildung GmbH plant die Erweiterung des Maschinenparks an vier Standorten in Bayerisch-Schwaben mit u.A. folgenden Maschinen und Zubehör:

— 1 St. konventionelle Drehmaschine mit Zubehör,

— 2 St. Werkzeugfräsmasch. mit Zubehör,

- 4 St. WIG Schweißgeräte,
- 2 St. MIG MAG Schweißgeräte,
- 1 St. Metallbandsäge,
- 1 St. Elektrodenschleifmaschine,
- 20 St. Schweiß-Arbeitskabinenvorhang.

II.1.6. Information about lots

This contract is divided into lots: yes

II.1.7. Total value of the procurement

Value excluding VAT: 222 663,56 EUR

II.2. Description

II.2.1. Title

Konvent. Drehmaschinen mit Zubehör
Lot No: 01

II.2.2. Additional CPV code(s)

42621000 Lathes

II.2.3. Place of performance

NUTS code: DE271 Augsburg, Kreisfreie Stadt

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH Ulmer
Straße 60 86150 Augsburg

II.2.4. Description of the procurement

1 St. konvent. Drehmaschine 3 Achsen, mit Zubehör wie Dreibackenfutter, Handspannfutter,
Zugzangen usw.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

Konvent. Werkzeugfräs- und Bohrmaschine
Lot No: 02

II.2.2. Additional CPV code(s)

42630000 Metal-working machine tools

II.2.3. Place of performance

NUTS code: DE279 Neu-Ulm

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH Heinz-
Rühmann-Straße 4 89231 Neu-Ulm

II.2.4. Description of the procurement

2 St. konvent. Werkzeugfräs- und Bohrmaschine, SK40; M16; Bedienpult, Sicherheitskabine, Zentralschmierung, LED Maschinenleuchte.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

Maschinenzubehör für Werkzeugfräsmaschine
Lot No: 03

II.2.2. Additional CPV code(s)

42674000 Parts and accessories for metal-working machine tools, 42670000 Parts and accessories of machine tools

II.2.3. Place of performance

NUTS code: DE279 Neu-Ulm

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH Heinz-Rühmann-Straße 4 89231 Neu-Ulm

II.2.4. Description of the procurement

Maschinenzubehör für Werkzeugfräsmaschine wie Flächenspannfutter, Kombi-Aufsteckdorn, Bohrfutter, Kantentaster, NC-Hochdruckspanner 130.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

CNC-Bearbeitungszentrum mit PC-gesteuerter Wechselsteuerung
Lot No: 04

II.2.2. Additional CPV code(s)

42612000 Machining centre

II.2.3. Place of performance

NUTS code: DE272 Kaufbeuren, Kreisfreie Stadt

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH
Hartmähderweg 11 87600 Kaufbeuren

II.2.4. Description of the procurement

CNC-Bearbeitungszentrum mit PC-gesteuerter Wechselsteuerung, integrierter PC, SK30; Sicherheitskabine, Zentralschmierung, LED Maschinenleuchte, inkl. je 1x Steuerungslizenz Win3D-View M SL/MAL, WinNC Sinumerik Operate MAL, FANUC 31i MAL, Heidenhain TNC 640 MAL.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

Ergänzung Maschinenzubehör allgemein für die Standorte Augsburg, Neu-Ulm und Kaufbeuren
Lot No: 05

II.2.2. Additional CPV code(s)

42670000 Parts and accessories of machine tools, 42671000 Tool holders, 42672000 Machine-tool work holders

II.2.3. Place of performance

NUTS code: DE271 Augsburg, Kreisfreie Stadt

NUTS code: DE272 Kaufbeuren, Kreisfreie Stadt

NUTS code: DE279 Neu-Ulm

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH
Hartmähderweg 11 87600 Kaufbeuren

II.2.4. Description of the procurement

Ergänzungen Zubehör zu Hochdruckspannern, Abzieher, Werkzeugvoreinstellgerät, Drehfutter, Flächenspannfutter, Spannzangenfutter, Messerkopfaufnahme.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

WIG AC/DC Schweißgeräte mit Pulstechnik plus Zubehör
Lot No: 06

II.2.2. Additional CPV code(s)

42660000 Soldering, brazing and welding tools, surface tempering and hot-spraying machines and equipment, 42662000 Welding equipment

II.2.3. Place of performance

NUTS code: DE271 Augsburg, Kreisfreie Stadt

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH Ulmer Straße 60 86150 Augsburg

II.2.4. Description of the procurement

WIG AC/DC Schweißgeräte mit Pulstechnik plus Zubehör, Wasserkühlmodul, Leitungen, Schweißbrenner, Radmontagesatz.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

MIG MAG Schweißgeräte mit Pulstechnik plus Zubehör
Lot No: 07

II.2.2. Additional CPV code(s)

42660000 Soldering, brazing and welding tools, surface tempering and hot-spraying machines and equipment, 42662000 Welding equipment

II.2.3. Place of performance

NUTS code: DE271 Augsburg, Kreisfreie Stadt

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH Ulmer Straße 60 86150 Augsburg

II.2.4. Description of the procurement

MIG MAG Schweißgeräte mit Pulstechnik plus Zubehör, integriertes Drahtvorschubgerät, wassergekühlt,, Leitungen, Schweißbrenner, Kühlmittel.

II.2.5. Award criteria

Price

II.2.11.

Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

WIG AC/DC Schweißgeräte mit Pulstechnik plus Zubehör
Lot No: 08

II.2.2. Additional CPV code(s)

42660000 Soldering, brazing and welding tools, surface tempering and hot-spraying machines and equipment, 42662000 Welding equipment

II.2.3. Place of performance

NUTS code: DE272 Kaufbeuren, Kreisfreie Stadt

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH
Hartmähderweg 11 87600 Kaufbeuren

II.2.4. Description of the procurement

WIG AC/DC Schweißgeräte mit Pulstechnik plus Zubehör, Wasserkühlmodul, Leitungen, Schweißbrenner, Radmontagesatz.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

Lamellen-Schweißer-Schutzvorhang mit Schiebeelementen
Lot No: 09

II.2.2. Additional CPV code(s)

42950000 Parts of general-purpose machinery

II.2.3. Place of performance

NUTS code: DE272 Kaufbeuren, Kreisfreie Stadt

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH Ulmer
Straße 60 86150 Augsburg

II.2.4. Description of the procurement

Lamellen-Schweißer-Schutzvorhang mit Schiebeelementen transparent mit Montage; 20 Stück.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

Metallbandsäge

Lot No: 10

II.2.2. Additional CPV code(s)

42000000 Industrial machinery, 42900000 Miscellaneous general and special-purpose machinery

II.2.3. Place of performance

NUTS code: DE272 Kaufbeuren, Kreisfreie Stadt

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH
Hartmähderweg 11 87600 Kaufbeuren

II.2.4. Description of the procurement

Metallbandsäge mit stufenloser Verstellung der Schnittgeschwindigkeit u.hydraulischer Absenkung des Sägearmes.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

Wolframelektrodenschleifgerät

Lot No: 11

II.2.2. Additional CPV code(s)

42000000 Industrial machinery, 42900000 Miscellaneous general and special-purpose machinery

II.2.3. Place of performance

NUTS code: DE272 Kaufbeuren, Kreisfreie Stadt

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH
Hartmähderweg 11 87600 Kaufbeuren

II.2.4. Description of the procurement

1 St. Mobiles Schleifgerät zum Anschleifen von Wolframelektroden.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

Messmittelpaket (digitales Messen Ind. 4.0)
Lot No: 12

II.2.2. Additional CPV code(s)

42990000 Miscellaneous special-purpose machinery

II.2.3. Place of performance

NUTS code: DE273 Kempten (Allgäu), Kreisfreie Stadt
Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH
Bahnhofplatz 1 87435 Kempten

II.2.4. Description of the procurement

Mobiles Schleifgerät zum Anschleifen von Wolframelektroden.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

II.2. Description

II.2.1. Title

Maschinenschraubstock
Lot No: 13

II.2.2. Additional CPV code(s)

42674000 Parts and accessories for metal-working machine tools, 42672000 Machine-tool
work holders

II.2.3. Place of performance

NUTS code: DE272 Kaufbeuren, Kreisfreie Stadt

Main site or place of performance: IHK Akademie Schwaben Arbeit und Bildung GmbH
Hartmähderweg 11 87600 Kaufbeuren

II.2.4. Description of the procurement

5 St. Maschinenschraubstock Glatt und Gripp.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open procedure

IV.1.3. Information about a framework agreement or a dynamic purchasing system

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2020/S 169-408767](#)

IV.2.8. Information about termination of dynamic purchasing system

IV.2.9. Information about termination of call for competition in the form of a prior information notice

Section V: Award of contract

Contract No: 2020-19277

Lot No: 01

Title:

Konvent. Drehmaschinen mit Zubehör

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1.

Date of conclusion of the contract

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: WEILER Werkzeugmaschinen GmbH

Town: Emskirchen

NUTS code: DE25A Neustadt a. d. Aisch-Bad Windsheim

Postal code: 91448

Country: Germany

The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 42 000,00 EUR

Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting**Section V: Award of contract**

Contract No: 2020-19278

Lot No: 02

Title:

Konvent. Werkzeugfräs- und Bohrmaschine

A contract/lot is awarded: yes

V.2. Award of contract**V.2.1. Date of conclusion of the contract**

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: Weber Werkzeugmaschinen GbR

Town: Mindelheim

NUTS code: DE27C Unterallgäu

Postal code: 87719

Country: Germany

The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 68 000,00 EUR

Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 2020-19279

Lot No: 03

Title:

Maschinenzubehör für Werkzeugfräsmaschine

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 1

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: fmann GmbH Qualitätswerkzeuge

Town: München

NUTS code: DE212 München, Kreisfreie Stadt

Postal code: 81241

Country: Germany

The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 4 000,00 EUR

Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 2020-19280

Lot No: 04

Title:

CNC-Bearbeitungszentrum mit PC-gesteuerter Wechselsteuerung

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 1

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: EMCO Deutschland GmbH

Town: Wendlingen
NUTS code: DE113 Esslingen
Postal code: 73240
Country: Germany
The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 65 000,00 EUR
Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 2020-19281 - 3

Lot No: 05

Title:

Ergänzung Maschinenzubehör allgemein für die Standorte Augsburg, Neu-Ulm und Kaufbeuren

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: Hoffmann GmbH Qualitätswerkzeuge

Town: München

NUTS code: DE212 München, Kreisfreie Stadt

Postal code: 81241

Country: Germany

The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 21 000,00 EUR
Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 2020-19284

Lot No: 06

Title:

WIG AC/DC Schweißgeräte mit Pulstechnik plus Zubehör

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: ZERRLE GMBH

Town: AUGSBURG

NUTS code: DE271 Augsburg, Kreisfreie Stadt

Postal code: 86154

Country: Germany

The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 10 000,00 EUR

Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 2020-19285

Lot No: 07

Title:

MIG MAG Schweißgeräte mit Pulstechnik plus Zubehör

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: Fronius Deutschland GmbH

Town: Germering

NUTS code: DE21C Fürstentfeldbruck

Postal code: 82110

Country: Germany

The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 10 000,00 EUR

Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 2020-19286

Lot No: 08

Title:

WIG AC/DC Schweißgeräte mit Pulstechnik plus Zubehör

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: ZERRLE GMBH

Town: AUGSBURG

NUTS code: DE271 Augsburg, Kreisfreie Stadt

Postal code: 86154

Country: Germany

The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 10 000,00 EUR

Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 2020-19287

Lot No: 09

Title:

Lamellen-Schweißer-Schutzvorhang mit Schiebeelementen

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: ZERRLE GMBH
Town: AUGSBURG
NUTS code: DE271 Augsburg, Kreisfreie Stadt
Postal code: 86154
Country: Germany
The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 12 000,00 EUR
Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 2020-19288

Lot No: 10

Title:

Metallbandsäge

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2
The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: G. Sachs Eisenwaren GmbH
Town: Kulmbach
NUTS code: DE24B Kulmbach
Postal code: 95326
Country: Germany
The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 3 000,00 EUR
Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 2020-19288

Lot No: 11

Title:

Wolframelektrodenschleifgerät

A contract/lot is awarded: yes

V.2. Award of contract**V.2.1. Date of conclusion of the contract**

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: G. Sachs Eisenwaren GmbH

Town: Kulmbach

NUTS code: DE24B Kulmbach

Postal code: 95326

Country: Germany

The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 2 000,00 EUR

Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting**Section V: Award of contract**

Contract No: 2020-19289

Lot No: 12

Title:

Messmittelpaket (digitales Messen Ind. 4.0)

A contract/lot is awarded: yes

V.2. Award of contract**V.2.1. Date of conclusion of the contract**

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: Mahr GmbH, Niederlassung Süd-Ost

Town: Wolnzach

NUTS code: DE21J Pfaffenhofen a. d. Ilm

Postal code: 85283

Country: Germany

The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 5 000,00 EUR

Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting**Section V: Award of contract**

Contract No: 2020-19290

Lot No: 13

Title:

Maschinenschraubstock

A contract/lot is awarded: yes

V.2. Award of contract**V.2.1. Date of conclusion of the contract**

16/10/2020

V.2.2. Information about tenders

Number of tenders received: 2

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: ALLMATIC-Jakob Spannsysteme GmbH

Town: Unterthingau

NUTS code: DE27B Ostallgäu

Postal code: 87647

Country: Germany

The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 3 000,00 EUR

Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting**Section VI: Complementary information**

VI.3. Additional information

Bekanntmachungs-ID: CXQ7YYEYYFK

VI.4. Procedures for review**VI.4.1. Review body**

Official name: Regierung von Oberbayern, Vergabekammer Südbayern

Postal address: Maximilianstraße 39

Town: München

Postal code: 80534

Country: Germany

E-mail: Vergabekammer.suedbayern@reg-ob.bayern.de

Telephone: +49 892176-2411

Internet address: www.regierung.oberbayern.bayern.de

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Nach Maßgabe der EuGH-Entscheidung in der Rechtssache „Ärztekammer Westfalen Lippe“ (EuGH, Urteil vom 12.9.2013 — Rs. C-526/11) und der einschlägigen nationalen Rechtsprechung (VK Sachsen, Beschluss v. 12.11.2015 — 1/SVK/033-15) sind die deutschen Industrie- und Handelskammern keine öffentlichen Auftraggeber im Sinne des § 99 GWB. Die Durchführung dieses Verfahrens erfolgt auf Grundlage einer freiwilligen Anwendung. Der Rechtsweg gemäß §§ 155 ff GWB ist daher ggf. nicht eröffnet.

Für die erneute Überprüfung dieser Grundsatzfrage steht Bietern folgender Rechtsweg offen: Verstöße im Sinne von § 135 Abs. 1 GWB (Unwirksamkeit des Vertrages) sind in einem Nachprüfungsverfahren innerhalb von 30 Kalendertagen ab Kenntnis des Verstoßes, jedoch nicht später als 6 Monate nach Vertragsschluss geltend zu machen. Hat der Auftraggeber die Auftragsvergabe im EU-Amtsblatt bekannt gemacht, endet die Frist zur Geltendmachung der Unwirksamkeit 30 Kalendertage nach Veröffentlichung der Bekanntmachung der Auftragsvergabe im Amtsblatt der EU (§ 135 Abs. 2 GWB). Ein Nachprüfungsverfahren ist nur bei Einhaltung nachfolgender Voraussetzungen zulässig: Verstöße gegen Vergabevorschriften, die der Bewerber im Vergabeverfahren erkannt hat, sind gegenüber dem Auftraggeber innerhalb von 10 Kalendertagen nach Kenntnis zu rügen. Der Ablauf der Frist nach § 134 Abs. 2 GWB bleibt unberührt. Verstöße gegen Vergabevorschriften, die aufgrund der Bekanntmachung erkennbar sind, sind spätestens bis zum Ablauf der in der Bekanntmachung genannten Frist zur Bewerbung oder zur Angebotsabgabe gegenüber dem Auftraggeber zu rügen. Verstöße gegen Vergabevorschriften, die erst in den Vergabeunterlagen erkennbar sind, sind spätestens bis zum Ablauf der in der Bekanntmachung genannten Frist zur Bewerbung oder zur Angebotsabgabe gegenüber dem Auftraggeber zu rügen. Ein Nachprüfungsantrag ist binnen 15 Kalendertagen nach Eingang der Mitteilung des Auftraggebers, einer Rüge nicht abhelfen zu wollen, einzureichen (§ 160 Abs.3 GWB).

Es wird darauf hingewiesen, dass das Verfahren vor der Vergabekammer für die unterliegende Partei kostenpflichtig ist.

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Regierung von Oberbayern, Vergabekammer Südbayern

Postal address: (siehe VI.4.1)

Town: München

Country: Germany

VI.5. Date of dispatch of this notice

11/12/2020